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1891.
The church and the French
revolution

The Church

AND

THE FRENCH REVOLUTION.

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THE CHURCH

AND

THE FRENCH REVOLUTION.

A HISTORY

OF THE

RELATIONS OF CHURCH AND STATE,

FROM 1789 TO 1802.

BY

E. DE PRESSENSÉ, D.D.

Translated from the French by

JOHN STROYAN.

"God is as necessary as liberty to the French people."—MIRABEAU.

"The Free Church in the Free State."—CAVOUR.

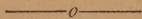
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TRANSLATOR'S PREFACE.



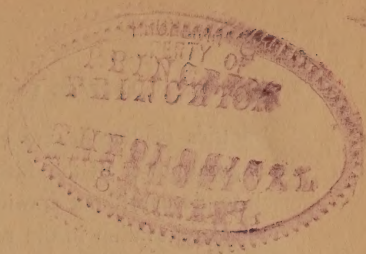
A CELEBRATED author, who has read much and written well on the French Revolution, has justly remarked that “considering the qualities of the matter, one may perhaps reasonably feel that since the time of the Crusades, or earlier, there is no chapter of history so well worth studying.” The present volume is devoted to that “side of this instructive and mournful history which is connected with the relations of Church and State.” The translation is slightly abridged ; but as the passages omitted are only of minor importance, it is substantially a reproduction of the original. Space has thus been gained for the addition of an index, a few notes, a chronological table, and an entirely new preface, written by the author expressly for this edition. The translation has been revised by one who has been my constant associate and untiring helper in this labour. I am also indebted to my friend and neighbour, the Rev. Richard Evans, for valuable suggestions offered during a perusal of the manuscript.

May the work now introduced to the British public be promotive, through the Divine blessing; of the great cause of Religious Liberty, which is the basis of all liberty; for, as Vinet profoundly remarks, “The respect of a man or of a people for Religious Liberty, is the exact measure of their love for liberty in general: whoever does not love Religious Liberty does not really love any liberty.”

JOHN STROYAN.

BRUNSHAW, BURNLEY,

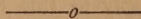
January, 1869.



PREFACE

TO THE

ENGLISH EDITION.



I BELIEVE that present circumstances impart a new interest to the subject treated of in my book, on "The Church and the French Revolution," which has just obtained the honour of an English translation. Let it be permitted me to show this in a few words.

The question of the separation of Church and State occupies the first place in the order of the day of our epoch. It is vain to wish to set it aside or to postpone it; it returns more urgent, more irresistible, as an imperious social and religious necessity which is evolved from all the events of politics, and all the conflicts of the Church. On the European Continent the Roman question is nothing else than the question of the relations of the temporal and spiritual, in that spot of the world where the bonds between the two powers have been the most closely drawn to the misfortune and shame of both. It cannot be resolved in the metropolis of Catholicism without the ancient system being shaken everywhere, for the various concordats which unite the Church to the State in the principal

countries of Europe, are conceived at the point of view of the temporal power of the Bishop of Rome. This power could not fall to pieces without drawing them down with it, and producing a radical renovation in the relations of civil and religious society. Now we know to what degree the temporal power of the Pope is sapped at the base. Personification of all abuses, of all tyrannies, it has against it all the liberal aspirations of the entire world, not to mention the justifiable hatred of Italy, of which it is the curse, and of the Roman people, on whom it presses with its whole weight. Nothing is more decaying than the Vatican. This old citadel of civil and religious despotism is sustained only by the States outside. Lo, Spain is failing her ; there is no longer any but France. We may apply to this last country, with a little modification, the ironical words of Francis the First on woman—

“ Souvent France varie,
Bien fol est qui s’y fie ! ”

“ So oft does France alter,
A fool he who trusts her ! ”

Let it not be forgotten that, by the side of the French Government there is the public intelligence, which does not always find its exact representation in a *régime* in which all initiatives belong to the Sovereign. At the very time, therefore, when the second Roman expedition obtained its sad victory at Mentana, opinion was passionately pronounced, not only against the Roman theocracy, but against all State religions and all paid and protected worships. The movement in this direction becomes every day more general and more powerful, and we may hope everything for its invigoration from the approaching council, which, by raising the temporal power to the height of a dogma, will precipitate its definitive fall. The dead soon go. That which must die, feverishly hastens towards its dissolution. The attitude of

the Ultramontane party in Austria, with respect to the most elementary reforms, shows that no compromise with it is possible. Itself demands its letter of divorce from the State, by not accepting the most moderate proposals. It will most certainly obtain it, and will contribute, in its own way, to the enfranchisement of conscience.

The internal circumstances of the Churches on the Continent equally tend to press forward towards the same solution. Catholicism in Italy and in Spain is in full crisis ; the innovating or reforming elements that it may contain know that they can obtain their liberty only when the official frame-works shall have been broken. The Council will push them on towards this declivity with a force altogether new. As for European Protestantism, it is certain that recent events in Germany are casting it, often in despite of itself, into the way of the separation of Church and State. Thus the great Lutheran Churches forming a part of the new provinces annexed by Prussia, find only in the independent system, so contrary nevertheless to their religious genius, a refuge against the ecclesiastical annexations with which they are threatened ; we have seen, with astonishment, fanatical partisans of the theocracy inaugurating the enfranchisement from the civil power, and we have been ready to exclaim : " Ha, what ! is Saul also among the prophets ? " French Protestantism united to the State is in full dissolution. It presents the most afflicting spectacle. The official frame-works serve as a closed field to an infuriated struggle between two parties, or rather between two radically different religions which are contending for the pay and protection of the State. Suppress the pay, and this lamentable strife immediately ceases, or at least it is no longer intestine ; the separation takes place of itself between unbridled rationalism and the evangelical section, and the noble tradition of the Church of the fathers springs up again immediately. Minds

are weary with these unprofitable discussions which turn to dispute, and which dishonour Christianity at a time when infidelity no longer fixes limits to its audacious negations. All generous hearts, therefore, sigh after enfranchisement.

Thus far for the Continent. It does not belong to me to relate the great ecclesiastical crisis through which England is now passing. It is certain that, apart from the considerable progress of independent Christianity in its various sections, a great shaking has been communicated to minds by the warm debates which the question of the Irish Church is provoking. The passionate efforts of the Conservative party to resist Mr. Gladstone's proposal, have had the effect of enlarging the debate instead of localising it, and of raising the ecclesiastical problem in its entirety, by saying to the whole Anglican Church, *De te fabula narratur*—"It is of thee that the question is." Now, when a question of this order has been thus broached in a country, we can no more cause it to disappear. The partial and momentary checks only precipitate the movement of minds. The important point is that the question is stated; the solution may tarry, it is certain. The valiant English race has too much energy and logic to leave such a problem in suspense, or to be satisfied with an expedient. I am of opinion then, that this century will not have completed its course before the noble motto of Cavour: "*The free Church in the free State*," shall have been realised on this side of the Atlantic as on the other shore.

The circumstances which I have described seem to me to give a new opportuneness to the work which has the honour of appearing before the lettered public of Great Britain. The experience of a recent past affords salutary instructions to the present generation, at a time when it is struggling with the same difficulties. The French Revolution found itself in presence of a powerful State Church which was the greatest proprietor in the

country. The question was not merely of abolishing its privileges, it was necessary also to settle its position. Two systems were discussed ; the first subjected it to the common law in all things, and abandoned it to itself whilst leaving to it the means of self-support, a thing easy enough, considering its immense possessions which might be equitably reduced to just proportions. The second system consisted in putting it under the hand of the State, on condition that this hand should open to give to it a recompense. Unhappily it was with this party that the Constituent of 1789 sided, and to which the First Consul returned at the time of the signing of the Concordat with Rome, after a too short interregnum of enfranchisement. This book presents the complete picture of the memorable debates which had this deplorable conclusion, and of the fatal consequences which it entailed on religion and liberty.

May this sincere recital contribute to the avoiding of the same faults by the present generation, and persuade it that, without the entire separation of Church and State on equitable bases in what concerns ecclesiastical property, there is only disturbance for the civil society, oppression and debasement for the religious society. I should esteem it a great honour if I could in this way serve the cause which is dear to me, the cause which unites the Gospel and liberty, in that great and noble country of England, which no one admires more than I, as the classic land of a Protestantism truly liberal.

EDMOND DE PRESSENSÉ.

PARIS,

15th December, 1868.

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 25. Malouet's protest against Barnave's proposal, 168.
 26. Decree for filling the offices of ecclesiastics who had not taken the oath, 170, 168.
 Address, explanatory of the Civil Constitution of the Clergy, drawn up by the Ecclesiastical Committee, 170.
 Mar. 17. The new Bishop of Auch pays his homage to the Assembly, 187.
 April 2 and 4. Death and Funeral of Mirabeau.
 10. Nuns whipped in public, 189.
 19. Visit of the King to St. Cloud violently prevented by the populace, 191.
 June 2. Church of the Theatines at Paris, which had been re-opened by the nonjuring priests, invaded by the populace, 199, 191.
 9. Thouret proposes to forbid the publishing any act of the Court of Rome not confirmed by the Assembly, 201.
 The Assembly restricts the prohibition to public ecclesiastical functionaries, 202.
 20. Flight of the King to Varennes.
 22. Manifesto explaining his reasons for attempting to escape, 202.
 June 25. The King brought back from Varennes.
 July 11. The remains of Voltaire transferred to the Panthéon.

- Aug. 4. Legrand presents an alarming report on ecclesiastical affairs, 203.
 27. Convention of Pilnitz against the French Revolution.
 Sep. 13. The re-union of Avignon to France voted, 179.
 14. The Constitution finished. Louis XVI. accepts it, and swears to maintain it.
 23. The National Assembly decrees a general amnesty for all political offences, 220.
 26. The Pope accepts the resignation of Cardinal de Brienne, 186.
 Sep. 28. Rights of citizenship granted to all Jews, 122.
 30. Last sitting of the Constituent Assembly, 203.
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THE LEGISLATIVE AND THE CONVENTION TO THE
 PROCLAMATION OF THE SEPARATION OF CHURCH
 AND STATE.

1791.

- Oct. 1. First sitting of the Legislative Assembly ; sat till September 21st, 1792 : twelve months all but nine days.
 7. Couthon opens the debate against the refractory clergy, 225.
 9. Report of Gallois and Gensonné on the condition of La Vendée, 212.
 11. Lafayette's farewell proclamation, 210.
 16. Massacres at Avignon, 219.
 22. André Chénier's letter on religious liberty, 221.
 27. Ramond proposes that all worships should be paid by the State, 229.
 28. Fine speech of Ducos on religious liberty, 229.
 Nov. 3. Speech of Gensonné on the nonjurors, 231.
 6. François de Neuchâteau brings in the draft of a decree requiring the civic oath to be taken within a week by all ecclesiastics not functionaries, 236.
 The Assembly informed of religious agitation having broken out in Anjou, 233.
 Nov. 12. Decree interdicting nonjuring priests from celebrating mass in buildings consecrated to official worship, 234.
 13. Bill presented demanding the civic oath of all pensioned and officiating priests, 235.

- Nov. 29. Decree depriving priests of their pensions who did not take the civic oath, 240, 237.
 Dec. 19. The King puts his *veto* to the decree.

1792.

- Feb. 18. Liberal report of Cahier-Gerville, Minister of the Interior, to the Assembly, 249.
 March. Persecution of the nuns in the Dominican Convent at Paris, 247.
 19. The Pope in a new brief congratulates the nonjuring priests, 251.
 Amnesty granted to the assassins of Avignon, 220.
 April 6. The Legislative dissolves the teaching bodies, 254.
 Prohibition of ecclesiastical costumes.
 16. Roland announces the outbreak of disturbances in Aveyron, 255.
 23. Roland again draws the attention of the Assembly to religious disturbances, 255.
 26. François de Nantes' report from the Committee of Twelve on the internal tranquillity of the kingdom, 256.
 May 4. New report from François de Nantes against the nonjurors, 257.
 16. Debate on the Bill of François de Nantes.
 24. Ramond and Moy, the defenders of the cause of liberty, opposed by Ichon, 259.
 25. Decree of transportation of those priests informed against by twenty citizens, 259.
 29. Guard of Honour taken from the King, 259.
 June 20. Invasion of the Tuileries by the populace, 261.
 28. Lafayette suddenly appears in the Assembly to demand the punishment of the authors of the outrage of the 20th.
 30. Report of Pastoret on the situation of France, 262.
 July 3. Vergniaud's speech against the King, 262.
 14. Third Federation.
 29. Arrival of the Marseillaise in Paris.
 Aug. 4. Convents of women suppressed, 265.
 10. Tuileries attacked and stormed, 264.
 Decree of proscription against the priests, 265.
 11. Suspension of the King.
 13. Imprisonment of the King and Royal Family in the Temple.
 14. Oath to liberty and equality decreed for all functionaries, 280.

- Aug. 17. Letter read to the Assembly from the department of Var—
announcing the transportation of the nonjuring priests,
265.
- Sep. 2-6. Massacres in the prisons of Paris.
21. Close of the Legislative Assembly, which sat from October
1st, 1791, and passed 2,140 decrees.

THE CONVENTION.

- Sep. 22. Opening of the National Convention. Republic decreed.
- Nov. 16. Cambon presents to the Committee of Finances a decree that
each sect should pay its own ministers, 288.
- Dec. 11-16. Trial of the King.
14. Jacob Dupont, the Atheist, proposes to abolish all religions,
278.

1793.

- Jan. 21. King Louis XVI. executed about ten o'clock in the morning.
- Feb. 15. Proposal to transfer the registration of births, deaths, and
marriages to the Municipalities, 266 ; voted June 22.
- Mar. 1. Thuriot demands the annulling of the Civil Constitution of
the Clergy, 292.
9. Revolutionary Tribunal decreed, 276.
18. Decree authorising the execution within twenty-four hours of
an emigrant or banished priest who should have returned
to France, 281.
- April 19. Discussion on the Right of Conscience, 286.
27. Transportation of priests substituted for extradition, 281.
- May 10. First meeting of the Convention at the Tuileries.
22. Committee of Public Safety instituted, 277.
30. Robespierre's plan of Constitution remitted to the Committee
of Public Safety, 286.
- June 2. The Girondists expelled and proscribed, 277, 294.
10. Robespierre's plan of Constitution presented, 286.
18. Discussion on liberty of worships, 287.
22. Registration of births, &c., confided to the Municipalities, 266.
23. Robespierre's plan of Constitution decreed, 286.
- July 13. Marat assassinated by Charlotte Corday, 294.
19. A deputy demands the deprivation of bishops who should
infringe the law by hindering the marriage of priests, 292.

- July 23. Danton demands that the decree to transport the refractory priests should not be put into execution, 282.
- Aug. 5. New Calendar voted, 298.
15. Institution of the Great Book of the public debt, 294.
23. Law ordaining the levy *en masse*.

Reign of Terror.

- Sep. 5. Decree appointing a Revolutionary army of 6,000 men to crush the counter-revolution, 295.
17. Law of the suspected.
- Oct. 3. Penalty of death within twenty-four hours decreed against every priest subject to transportation, returned to France, and favouring the counter-revolution, 296.
- Oct. 16. Execution of the Queen Marie-Antoinette, 296.
31. Execution of twenty-two Girondins, who sing the Marseillaise in chorus on their way to the scaffold, 296.
- Nov. The Commune of Paris take the initiative in the Atheistic movement, 296.
3. Designations of the months altered, 298.
6. The Duke of Orleans (Philip Egalité) executed.
7. Numerous apostasies at the Tribune, 301.
8. Madame Roland executed.
10. Mayor Bailly executed, 296.
- Worship of Reason inaugurated. "Goddess of Reason" presents herself at the Convention, 309.
22. Masquerades repeated.
26. The Council of the Commune at Paris interdict all worship save that of Reason, 312.
- Danton demands that there shall be no more anti-religious masquerades in the Convention, 318.
- Dec. 5. Robespierre protests that the French respect liberty of worships, 319.
14. Noyadings by night at Nantes.

1794.

- Feb. 27. Recourse to the Tribunal de Cassation interdicted to the arrested priests, 296.
- Mar. 13. Insurrection of the Cordeliers, 321.

- Mar. 30. Danton and his friends imprisoned, 321.
 April 3. Danton and his friends guillotined, 322.
 6. Couthon announces that the Committee of Public Safety had
 decreed a festival in honour of the Supreme Being, 322.
 May 7. Robespierre reads his memorable report on the existence of
 the Supreme Being, 323.
 9. Festival in honour of the Supreme Being, 325.
 July 28. Robespierre guillotined.

End of the Reign of Terror.

- Sep. 20. The *régime* of the payment of worships abolished, 341.

THE RÉGIME OF THE SEPARATION OF CHURCH AND
 STATE.

- Sep. 21. Barré informs the Convention that the refractory priests had
 returned in great numbers, 333.
 Nov. 4. An unknown deputy demands a respite in favour of 200
 priests awaiting their transportation, 335.
 12. Decree shutting up the Jacobins' Club.
 Dec. 11. Grégoire upholds the cause of the persecuted priests, 336.
 21. Chénier presents his report on supplanting Christianity by
 civic festivals, 355.
 23. Noble speech of Grégoire in favour of the right of conscience,
 336.

1795.

- Jan. 6. Severe decree against the nonjuring priests who had returned
 to France, 343.
 12. Bill of Eschassériaux, senr., to destroy "the dangerous illusions
 of fanaticism," 356.
 Feb. 5. Report of Eschassériaux, jun., attempting to supplant Chris-
 tianity, 356.
 21. Boissy d'Anglas' famous motion, claiming liberty of worships,
 343.
 24. Lecointre of Versailles obtains the revision of the decree con-
 demning to transportation the citizen who had received a
 nonjuring priest into his house, 347.
 April 1. Insurrection of Germinal.
 13. The refractory clergy denounced with unheard-of violence,
 347.

- May 1. Chénier presents his report on the measures to be taken against the refractory priests, 351.
 15. Grégoire convokes a few bishops at Paris, 397.
 20. Insurrection of Prairial.
 23. Report presented by Lanjuinais on the celebration of worship in public edifices, 352.
- July 4. Separate article in the New Constitution devoted to the right of conscience, 359.
- Aug. 17. The Republic pays no worship.
 The New Constitution adopted, 359.
 Constitution of the year III.
- Sept. 4. Decree of perpetual exile against the priests condemned to transportation, 351.
- Oct. 4. Insurrection of Vendémiaire, 339, 359 ; quelled by Napoleon, 359.

End of the National Convention.

- Oct. 28. Directory established.

1796.

THE DIRECTORY.

- July 15. The Pope's Brief recommending submission to the established powers, 395.
- Sept. 26. Napoleon's letter to Cacault "to dodge the old fox" (the Pope), 437.

1797.

- Feb. 17. Treaty of Tolentino, by which the Pope abandons the Legations to France, 370.
 19. Napoleon writes to the Pope that he would have no more faithful ally than the Republican Government, 437.
- May 29. The Nonjurors recover the church of Saint-Roch at Paris, 393.
- June 13. Gilbert Desmolière complains of the low state into which public education had fallen, 370.
- July 8. Discussion on Camille Jordan's report on liberty of worships, 373.
- Aug. 15. Opening of the First Council at Notre Dame in Paris, 406.
- Sept. 4. *Coup d'état* of the 18th Fructidor, 376.
 5. Law of the 19th of Fructidor to transport every priest who should disturb the public tranquillity, 404.

1798.

- Jan. 12. Napoleon writes to the Bishop of Malta, 429.
 May 11. Law annulling the elections, 378.
 Nov. 7. Circular of the Minister of Police causes the transportation of several priests, 404.
 18. Law enforcing the celebration of the Tenth-Day, 380.
 Dec. 15. Grégoire complains of a circular of the Minister of the Interior, demanding the transfer of services to the Tenth-Day, 382.

1799.

- Nov. 9. *Coup d'état* of the 18th Brumaire.
 Fall of the Directory.
 Dec. 25. *Bonaparte First Consul*.

1801.

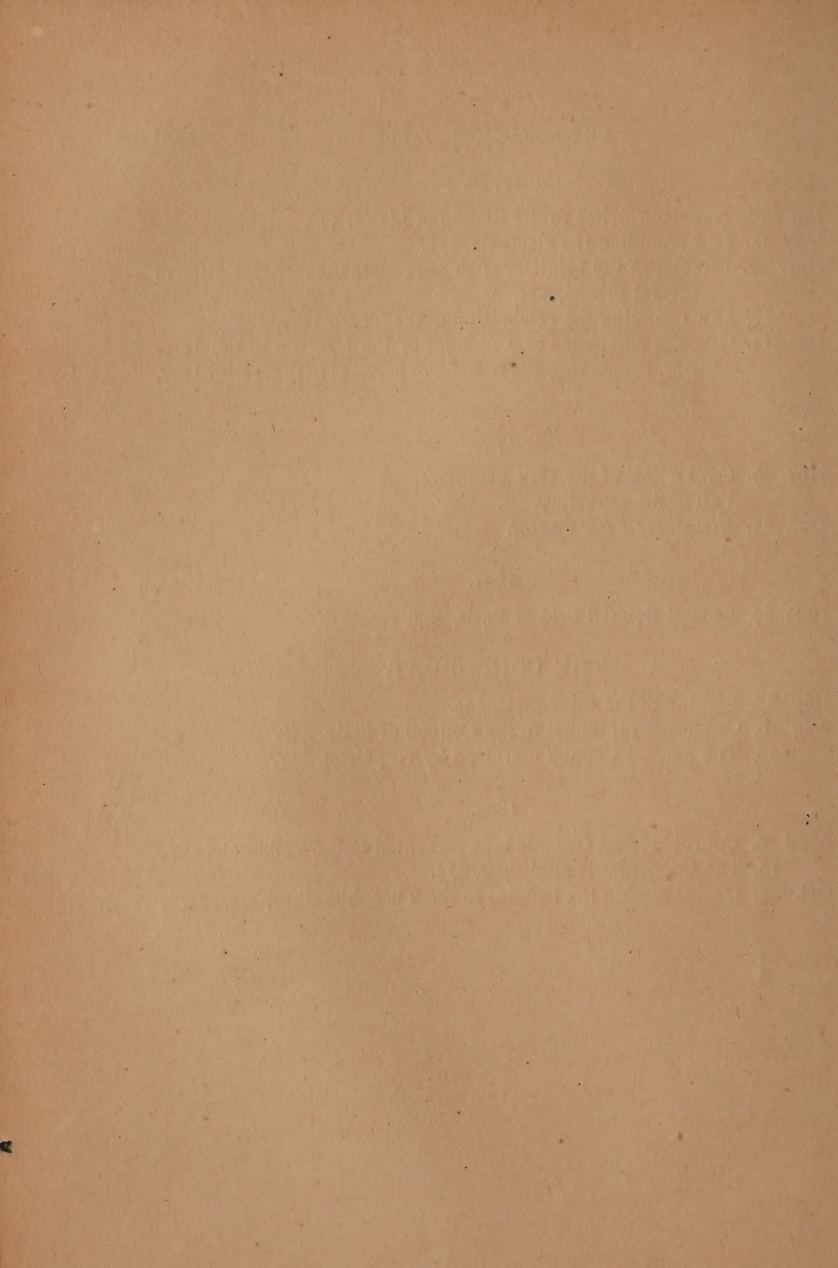
- June 29. Second Council held at Paris, 408.

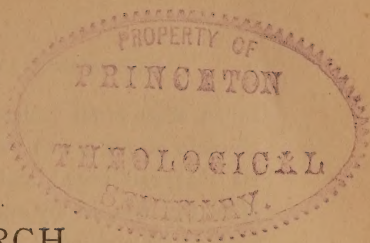
THE CONCORDAT.

- July 15. Signing of the Concordat, 453.
 Aug 6. Concordat presented to the Council of State, 456.
 16. The Second Council dissolved by Napoleon, 457.

1802.

- April 6. Concordat and Organic laws presented to the Tribunate, 467.
 18. The Concordat is published, 475.
 Oct. 3. Decree closing the temples to the Theophilanthropists, 391.





THE CHURCH

AND

THE FRENCH REVOLUTION.



Introduction.

*Situation of the Church of France on the eve of the Revolution.—
State of opinion on liberty of conscience and organisation of
worship.*

I DESIRE to recount the history of the relations of the Church and of the State under the French Revolution, from the moment when this last bursts on France and Europe intoxicated with youth, enthusiasm, and inexperienced ardour for reforming everything, to the day when it seems for ever organised in power and in glory against the essential principles which had inspired it at its outset. Napoleon has been proclaimed the heir of the French Revolution, and yet he ruled France only when the great and generous spirit of 1789 had very decidedly ceased to breathe. Because he did not carry in his veins the blood of the old races, because he has not resuscitated the privileges of caste, people have wished to see in him the armed representative of this revolution and its victorious missionary. They have maintained that he made it enter with the gallop of his war steed into the capitals of despotic Europe, forgetting that the first capital into which he penetrated

as an all-powerful general was Paris—Paris delivering itself to absolute power grown young again by victory, and thus denying all that had raised and thrown life into it ten years earlier. Now, that was, in my opinion, to disown the French Revolution itself in its very foundation, viz., in this great principle of liberty, which, whatever sophists, always hired to colour and gloss servitude, may say of it, is the very principle of 1789. Equality is only its consequence. So soon as it is detached from the vigorous trunk which has produced it, one of two things happens; either it withers and perishes, for privilege springs up again most frequently from arbitrary power, or else it continues to exist only as a vain appearance, a mere heap of dried leaves rolled at the will of the wind which blows, following its fickle caprices.

This momentary miscarriage of one of the finest human movements remains the problem the most worthy of the interest of contemporaneous history. This problem has been treated in its entirety by eminent minds. My ambition is less vast; I should wish to address myself only to one side of this instructive and mournful history, and to restrict myself to that which is connected with the relations of Church and State under the French Revolution. To mark the progress accomplished at the dawn of the new era, and to point out, without evasion, the faults committed; to indicate the fatal tendency which was, little by little, to lead to the regular enthrallment of the religious society; and without excusing the last encroachments of a power which acknowledged no bounds, to seek, in the anterior history, that which was almost necessarily preparing and introducing them: such is my design. There is not, perhaps, a surer means of comprehending the cruel deceptions from which we still suffer; for I have arrived at the profound conviction that nothing has more hastened the loss of liberty than the errors of our fathers concerning the manner of organising religion in France. An attentive study of the history

of the French Revolution proves that that which sunk in the mud the chariot so well started at first—that which later began to hurl it into the bloody mire of terrorism—is precisely the religious question, or rather, the religious question ill understood and hastily resolved.

Meanwhile, immortal truths had been proclaimed, sacred rights had been acknowledged by the French Revolution. But it sufficed that it should touch the conscience in order to raise the most invincible resistance; it is this resistance which, by exasperating it, caused it to depart from the path of fruitful and durable innovations; it is this which, by its proud and formidable genius, caused it to forget its benefits for its furies. That eighteenth century, which seemed so disabused of Divine things, was positively troubled by the religious question more than by any other. It is well to acknowledge, to the honour of humanity, that it is religious faith, that is to say, the most disinterested thing in the world, which stirs it most profoundly and raises it most forcibly. Despite appearances, the passion for that which is above—to speak the bold language of an apostle—inflames it much more than the passion for that which is below. Hence, from all points of view, the supreme importance of this order of questions, even when they do not meddle with the foundation of religion, but only with its organisation. Let us acknowledge, besides, that the question of foundation quickly mingles with the question of form. To defend the complete independence of the religious conscience is one of the first duties of religion.

To this day the problem entered upon in 1789 is still before us. The authoritative act of the Concordat has settled nothing. It has only complicated the situation a little more like all that comes from arbitrary power. Let us remember that in this very delicate matter our faults and our errors would be graver than those of our fathers, because we could not compensate them by

reforms as brilliant ; for concerning toleration they had said all from the first day, and we live on their conquests which no reaction could compromise, so entirely are they founded on eternal right.

But let us know how to unite a wise and impartial criticism with the admiration with which our fathers inspire us, and whilst bringing to light the great truths proclaimed or caught sight of by them, on this point, as on all others, let us frankly indicate what in their enterprise was false and unjust. We may the rather do it, that in this they were much more timid conservators than courageous innovators ; they submitted to the sway of the ideas of ancient French society at the very time they imagined they had constructed against it the most formidable machine of war. We find its errors recurring, if I may so say, in the defective part of the new institutions given to the country. It is from it that the Revolution had learned to exaggerate the central power beyond measure, and to deliver to the State that which belongs only to the individual. It is not surprising that the new wine burst the old bottles in which they were confining it. M. de Tocqueville wished to establish these truths for the whole of the social organisation worked out by new France. I shall never cease to regret that he has been able only to lay the foundations of this considerable work. I am aware how rash it is to attempt, without the help of the knowledge of that eminent mind, to apply his fertile views to one of the portions of this organisation, to that precisely which is, without contradiction, the most important ; but the gravity of the circumstances, and the vistas of the future, make me overlook my insufficiency. I shall believe that I have rendered a solid service to my country by throwing light on the rock on which the most generous revolution has stranded, but for a time only. Of this we are assured.

Let us attempt, by the impartial account of the debates of our first assemblies on the religious and ecclesiastical question, and by

the recital of the events which were their consequence, fully to comprehend this great crisis of minds and of consciences, and to draw from it the instruction which it contains for us.

If we seek to explain the mutual situation of religious and civil society on the eve of the French Revolution, that which strikes us at the very outset is their close association at the political point of view, and their profound separation at the point of view of ideas and aspirations. This contrast becomes more and more decided and painful as we advance in the century, and it must end in the fatal misunderstanding which separated, in France, the liberal cause from religious faith. It was precisely the political union which provoked and envenomed the moral separation. The Church was as though incrustated in an order of things which wounded the public conscience; the altar was the strongest support of the ancient social edifice. Every aspiration towards reform, every tendency to progress, meeting it, from its first start, as an obstacle and a barrier, beat against it with rage. The result was that generosity of mind speedily became irreligious. All that was young in heart, and burning to vindicate right and liberty, was thereby even predisposed to repel Christianity at the outset; fire, enthusiasm, energetic conviction, conquering proselytism, are on the side of philosophy; the Church not only remains immovable, but even desires to arrest and roll back the rising tide of minds so that it passes on one side of her, when it cannot cover her with its foam. The eighteenth century has seized a great idea, which is a daughter of the Gospel; it is the idea of humanity; the idea of human right, claimed in face of privileges which are its negation. And it is found that the Church has taken part beforehand against this human right which she ought to have been the first to proclaim, since she had in her hands the Book which, in a society profoundly divided, had caused those immortal words, the charter of equality and of true liberty, to resound: "*Before*

Christ there are neither slaves nor freemen." (Gal. iii. 28.) Thus, by the fault of her representatives, the religion which, with the Divine idea, brought into the world the grand idea of humanity and of its rights, is considered by generous minds as the enemy which it is necessary to strike down, and that in order to realise their own programme. In the confusion of the time, the old pagan idea is defended by the pretended successors of those who formerly conquered it, and the social and humane applications of Christianity are claimed by men who revive the naturalism of the ancient world, the impure source of all the inequalities and of all the abuses of power. Thus, elements the most incongruous are mingled; that which was designed to be indissolubly united is violently and sadly separated; religion and justice serve in opposite camps, and each blow which the one inflicts on the other weakens them both.

This fatal divorce goes far back into the past, but it was renewed and consummated with *éclat* at the end of the seventeenth century by one of the greatest crimes of history—by the violent and murderous expulsion of the portion of religious society which had not bent under the yoke of unity. The ruins of Port Royal, and above all, those living *débris* of the Protestant Church, whom we find on the royal galleys, or who seek to rejoin each other in the desert at the cost of the gravest perils, incessantly recall the fatal union of religious and civil despotism, and recall it to an emancipated age, irritated, above all, with the narrow prison in which its first years had glided away under the ferule of an all-powerful devotee. This ferule was, truly, too long the sceptre of this brilliant kingdom of France, condemned by the most selfish of sovereigns to expiate for him the sins of his youth by a mean and timorous penitence.

The seventeenth century had not contented itself with bequeathing to the following age those sad remembrances, which were,

indeed, present facts, since the proscription of Jansenism and of Protestantism was in full vigour. It had even formulated the theory of its practice in a book due to its greatest orator, who had graven for posterity, in an immortal style, the maxims of the double despotism, destined to raise so much indignation some years later. "La Politique tirée de l'Ecriture Sainte,"—"Politics drawn from the Holy Scriptures,"—that learned catechism, in which a royalty without control, and a clergy without restraint, are taught how, by uniting, they may entirely enslave a nation, may be considered as the testament of the seventeenth century. Although drawn up by his splendid genius, it was made to be broken like the testament of Louis XIV. ; it was broken with fury in that parliament—free, even to licence—which sits in the eighteenth century, wherever a pen is held, wherever French conversation sports itself with a sparkling grace—a terrible sport, which kills by raillery. The book of Bossuet is the apotheosis of the ancient *régime*, and of its worst abuses. The king appears in it as a god, whose countenance rejoices his people as the sun, and whose indisputable caprices ought to be received on their knees ; he is, it is true, a god—like enough to those of Homer—made liable to all the passions of mortals, and inclined to succumb to them. The counsels which the eloquent bishop gives to the prince are excellent ; he shows to how many crimes unlimited power exposes, and what terrible consequences they may have. But these counsels terrify more than they encourage, by revealing the possibility of an evil which, once committed, will be without remedy ; since there is no resource against the royal despotism, that everything belongs to the sovereign, and that, after a timid remonstrance, his subjects have only to kiss the dust where his foot has trampled them. There is no right in face of the royal right—I am mistaken—there is the right of the priest, for whom alone Bossuet causes to be heard a haughty claim. All the property of the nation belongs to the king,

except that of the Levites, with which he ought to concern himself only to increase it. A king who well understands his duties, does not rest contented with opening his treasures to the Church in order to enrich her; remembering that she has a horror of blood, but that she, nevertheless, has need of it, he lends to her his sword, or, rather, he turns it against her enemies, pursues them, and sacrifices them for the greater glory of God, as at the revocation of the Edict of Nantes. Heresy is not tolerated in the happy country that he governs. "Those who do not wish to suffer the prince to use severity in the matter of religion, because religion ought to be free, are in an impious error." Bossuet recalls the oath taken by the very Christian king on the day of his coronation, and the solemn engagement that he takes to exterminate heresy. All these beautiful theories are supported by passages of Holy Scripture, the true sense of which is completely disfigured, despite the beauty of the translation, because the learned bishop applies to modern societies that which was suitable only to the theocracy of Israel, essentially transitory, like the whole of Judaism. He arrives thus at this double result of causing hatred altogether both towards monarchy and Christianity, and of surely preparing the most dangerous revolution.

We might suppose that the effect of such a book was counter-balanced by the general politics of Fénélon, much more Christian than those of Bossuet, although they were clothed in a pagan form. It was nothing of the kind. The "*Télémaque*" was a poetic Utopia, the beautiful dream of him whom Louis XIV. had called the most chimerical mind in his kingdom. "*La Politique tirée de l'Ecriture Sainte*" was, on the contrary, the faithful picture of the organisation of religion in France at the epoch when the boldest wishes for the general renovation of society were being formulated. Let us give an outline of this organisation.

The Church of France enjoyed all kinds of privileges at once.

The country was entirely surrendered to her. She had no longer to dread a rival worship since she had obtained the proscription of the adherents of the Reformation. She alone possessed religious edifices to celebrate Divine service, whilst the most concealed retreats could not protect the Protestants in the performance of their religious duties. They had lost not only the right of professing their beliefs, but that of existing. They were as if they were not in the country which they had contributed to honour and enrich, for as soon as they were discovered, they fell under the judicial prosecution of the laws; neither their birth nor their marriage was recognised; all public careers were forbidden to them, and their children were considered as belonging to the Catholic Church. The Protestants of Alsace alone enjoyed liberty of conscience—thanks to the special treaties concluded at the time of the conquest of that province. As for the Jews, they were only tolerated. They paid a special tax, and were subject to very stringent police regulations; they were equally excluded from public functions. The Catholic Church was then absolute mistress of the kingdom, in the religious point of view—the civil state was in her hands by marriages and baptisms; her voice was alone raised from one frontier to the other; it was necessary to take the *détour* of Holland in order to venture to publish a book which attacked her, or which might only be displeasing to her. The instruction of youth was almost entirely confided to her, and no teaching was given outside of her control. Thus the thought, the soul, of all the citizens were officially under her dependence.

To assist in this task the clergy disposed of immense riches, which rendered them proprietors of a considerable part of the soil. They held them from the piety of the faithful, often also from the terrors and the tardy repentances of the death-bed. The kings of France had largely disposed of their domain in their

favour; and if we must reckon the number of their sins by that of their donations, the list of their misdeeds was frightful. Here is the revenue of the clergy of the kingdom according to the lowest valuation:—

	LIVRES.
They had at their head 11 archbishops and 116 bishops. Their revenue in round numbers amounted to... ..	8,400,000
The revenue of the great vicars and of the canons amounted to	13,400,000
The revenue of 715 abbeys <i>in commendam</i> , so named because the titulars might put a substitute in the office, amounted at least to	9,000,000
The revenue of 703 priories was reckoned at	1,400,000
That of 11 chapters of noble canons at	842,000
That of 520 colleges or little chapters at	*6,200,000

The parish priests and their vicars formed the secular clergy, who had to serve 35,156 cures. Tithes and perquisites provided for their support; the regular clergy filled the convents with men and women, who were reckoned at 19,000 monks and 32,000 nuns of every order. They provided for more than 700 hospitals. The order of Malta possessed 200 commanderies in France; the half of the revenues of the Church of France arose from tithes levied on the harvests of private persons, and the totality of its avowed revenues amounted to nearly 130 millions,

* The livre was formerly divided into 20 sous,	331,851
and the sou into 12 deniers. The franc = 1 livre	529,382
0 sols 3 deniers.—“Enc. Brit.” Vol. XV. p. 435.	355,555
Reckoning 25 francs to our sovereign, these sums	55,308
would equal the following in English currency, omit-	33,264
ting the shillings and pence:—	244,938

Total..... £1,550,298

equivalent to a very considerable sum of the present day. It is no exaggeration to value the real revenue, including the perquisites, at nearly 200 millions.* The property of the clergy was exempt from taxation; they contributed to the charges of the State by voluntary gifts voted by their assemblies. They voted every five years a gratuitous gift of sixteen millions, but this gift was employed in great part in payment of the debts which they had contracted by prior engagements.†

Without doubt, civil society had shown itself sufficiently lavish of privileges and riches toward religious society; but, in exchange, the former had placed the latter under its dependence. The eldest and cherished son of the Church had taken his precautions with respect to his mother, and had bound her hands with chains which, although golden, did not the less cramp her action. The king suffered her ascendancy every time that the fear of hell was awakened in him, that sickness or age made him catch sight in the distance of the bell of St. Denis, but laws restrictive of the liberty of the Church were not the less in force. This is what they had agreed to call *the liberties of the Gallican Church*. Animated with a spirit of just distrust against the usurpations of Rome, often founded in right and in political motive, inasmuch as they preserved the civil authority from the encroachments of a rich and ambitious clergy, these famous maxims, the productions of those legists who were the great authors of monarchical despotism, tended to make of religion in France an instrument of government, and subordinated it entirely to the civil power. To forbid the clergy to assemble without permission of the king, to forbid the bishops freely to communicate with the spiritual chief of Catho-

* About 7,901,234 pounds sterling.

† See Rodot, "La France avant la Révolution, son Etat Politique et Social en 1787." Consult also "La France Ecclésiastique," for the year 1788.

licism, was obviously to put the religious conscience under the rude hand of the State. It is true that it was difficult for the civil power to divest itself of this supremacy in the face of a body so rich and powerful as the clergy. Thus the riches which tended to corrupt began by enslaving them. In order to comprehend this situation of the Church of France, it is necessary to form a just idea of its relations with the See of Rome.

It was in the midst of the middle ages that the relations of the two societies, religious and civil, were the most wisely regulated by the two essential articles of the pragmatic sanction of Saint Louis, which was confirmed by Charles VII. at Bourges, July 7th, 1438. These articles declared: 1st, that the cathedral and other churches of the kingdom should enjoy the free exercise of their elections, promotions, or collations; 2nd, that the collective promotions, provisions of prelacy, dignities, and all other ecclesiastical benefices and offices of whatever nature they might be, should be made after the order of the common right, the rules of councils, and of the statutes of the holy Fathers. The Concordat concluded between Francis I. and Leo X. abrogated these wise clauses, which left to the Church the right of choosing its dignitaries, and preserved the kingdom from the invasions of the papacy. There had been already a grievous abuse of power in the claim of the prince to represent the Church in this transaction, and to treat in her name without consulting her. He arrogated to himself the right of nomination to the cures and to the bishoprics, and conceded to the papacy that of the confirmation by bulls, leaving in its hands the most terrible weapon against himself; for the refusal of the bulls was sufficient to agitate the entire country. This was perceived too late, under Louis XIV., in the affair of the *regales*.* On the one hand was

* *Regale* is the right of the crown to receive the revenues of vacant bishoprics or abbeys.

to be seen the entire Gallican clergy prostrated at the feet of royalty, to defend with passion the right of the crown which, being *round*, according to the happy expression of the advocate-general charged to be the spokesman to the parliament, could suffer no restriction of power. On the other hand, we see the proud monarch constrained at last to bow before the Holy See, after the prolonged refusal of the bulls had thrown the kingdom into confusion. It is not sufficiently known that Louis XIV. ended by writing to the pope in these terms:—

“I am happy to make known to Your Holiness that I have given the necessary orders that the things contained in my edict of March 2nd, 1682, touching the declaration made by the clergy of France, to which past conjunctures had obliged me, be not observed, and desiring not only that Your Holiness should be informed of my sentiments, but even that all the world should know, by a special token, the veneration which I have for your great and holy qualities.”

Without doubt the maxims of the Gallican Church, fortified by the famous declaration of 1682, had wisely prevented the blending of a foreign power in the government of France, but they did not thereby the less sanction the subjugation of the Church to royalty. To be convinced of it, we have only to read over the acts of the councils of the king concerning ecclesiastical affairs.

In the eighteenth century, the council of the king could declare, without raising any opposition, that the temporal power, before authorising the publication of the decrees of the Church, has the right of examining the form of these decrees, their conformity with the maxims of the kingdom, and of interdicting everything which in their publication may disturb or affect public tranquillity. “It is essential,” ran the royal decree, “to prevent any one from agitating in the kingdom rash or dangerous questions, not only on expressions which may be differently understood, but also on the

basis of things. All these resolutions are taken for the good of religion and for that of the State, which cannot be separated, and as the surest means of strengthening the union which ought to reign between the priesthood and the empire." We see that the Gallican Church, rich and powerful as she was, was not the less for that a very dependent State Church. We praise her for having resisted the forces of ultramontaniam; we acknowledge that she has been adorned with great talents and admirable virtues; her glory is inseparable from that of the country, but she has not the less sacrificed more than one precious liberty to the profit of the great French idol—I mean the State. She forged, or suffered to be forged for her, the yoke which was to become insupportable to her as soon as it should be no longer of gold but of iron, and should be imposed on her by the votes of an assembly in place of being offered to her by royal hands.* We shall see, truly, that the French Revolution has had, in order to enslave the Church, only to draw the consequences of the principles laid down by Louis XIV. and Bossuet. Still is it that, closely associated as she was in the eighteenth century with all the iniquities of the ancient *régime*, surpassing them even by those which she provoked on her own account, the Church of France was destined to raise the most lively opposition, without being honoured by lofty virtues; for nothing is more sad than her moral situation before the day when she recovered herself by martyrdom and purified herself in her own blood.

The state of things which we have just described was the continuation of that which had existed for ages in France. Nothing was changed except the disposition of minds, but that sufficed to make the abuses which had been tolerated or passed in silence

* See my pamphlet on "La Liberté Religieuse et la Législation Actuelle," 1860. See also Dupin, "Manuel du Droit Public Ecclésiastique Français."

appear in their true light. The irritated public conscience revolted against institutions which had for a long time awakened no scruple, and it was sufficient for the Church of France to remain conformed to her past to rouse against her the most ardent passions. Unhappily she was indeed much more preoccupied with her internal debates and temporal interests than with the formidable strife to which the attacks of philosophy summoned her.

Nothing is so sad as the religious history of the eighteenth century. Piety languishes; science there is none, at least on the side of the defenders of Christianity. In England and in Germany a parching wind blows over hearts and minds. There is preached in the Protestant pulpits—in those which are standing—a religion without grandeur, without mysteries, which has neither the boldness of philosophy nor that of faith. The office is dismantled; they make treaty with the opinions of the day, and shameful compromises are frequent. In the bosom of the Church of France the decay is visible to all eyes. Since Massillon has been silent, there is no longer to be noted an eloquent word in the evangelical pulpit, if we except some accents of a studied rudeness of Father Bridaine. The most miserable vestry passions are in full career. Not content with persecuting outside, the dominant party persecute within in order to impose the bull *Unigenitus*,* and with it the Roman yoke, on whomsoever has not renounced all spirit of independence. The death-bed of the most esteemed priests is watched, and clerical persecution does not stay itself even before the last sigh. The noise of these pitiful quarrels fills the audiences of the parliament. They are deafened and irritated by them. The opposite party is not raised by this strife without grandeur; there is something more sad than the destruction of the Port Royal des Champs, it is the moral decline of Jansenism;

* Issued 1713.

this great school, which has given to France Saint Cyran and Pascal, has truly fallen into childhood. Nothing is talked of any longer there except apocryphal miracles; the fanatics of Saint Médard pass for the direct heirs of the saints and heroes who represented austerity and liberty in the Church of France, and illustrated it by innumerable masterpieces. The persecutors excite indignation, and the persecuted laughter. Is there a state of things more deplorable!

Meanwhile the attacks of philosophy are more pressing, and always more eagerly listened to. It is, indeed, necessary to answer them. Most frequently the replies do not rise above undigested trash; if we except Duguet and the Abbé Guenée, the champions of the faith could show neither vigour of argumentation, nor solid science. It would be necessary, besides, that they should separate the truth of the Gospel from all that which overlaid it and rendered it hateful in a privileged, opulent, and oppressive Church. The Nonottes and the Baruels made a fine match for Voltaire and the Encyclopædia. The insufficiency of the individual refutations made them have recourse to blows of authority and to official condemnations. It was more convenient to pulverise error in a mandate affixed to the door of the cathedrals; than to refute it with equal arms; but that was to forget all the powerlessness of refutations of this kind. Wherever we speak alone, we speak into vacancy. The assemblies of the clergy from the eighteenth century did not fail, each time that they met, to anathematise *philosophism*, and especially to denounce it to the authority, by recommending for benefices writers who had signalised themselves in a holy war without peril, and consequently without glory. This attitude of St. Michael crushing the demon was little calculated to reassure minds, because, first, the adversary was chained, and then the champions of the celestial cause did not present themselves to the combat with the stainless purity

which becomes such a part; and whilst the official belief remained intact, the true faith was weakened more and more even in the midst of the clergy. It seems as if they made it their business to expose themselves to attacks; if he whom we do not see, one who is in retirement, in the provinces, in the country, preserves in the shade the beliefs and virtues of his state; the one whom we do see, who makes a noise at court, at Paris, signalises himself by deplorable scandals. Too often he serves a mass in which he no longer believes; he carries to the altar the perfumes of the boudoir. The race of gallant and free-thinking abbés is numerous; they crowd the saloons, and they recall one of the greatest abuses of the Church, this right of *commendam* which permitted the noble incumbent of a benefice to have only the advantages of the charge, whilst leaving its labours and its fatigues to the plebeian whom he put in his place. The aristocracy took advantage largely of all the high positions of the Church. They received considerable rents from them, whilst giving little in exchange beyond their fine names. The inferior clergy, upon whom fell the labour, were abandoned to the allowance made by the tithe-owner, and lived miserably. Thus wealth was in the reverse ratio to labour.

In 1785, the scandalous lawsuit of the queen's necklace* had gravely compromised a prince of the Church and of the State. The Cardinal de Rohan, bishop of Strasbourg and grand almoner of France, had, without doubt, been the dupe of an intriguing woman of low condition, who had swindled him respecting an ornament of an enormous price, by flattering him with the hope of obtaining at this price the favours of the queen. But every one thought that there was something worse than the robbery of

* For an account of this, see "Carlyle's Critical and Miscellaneous Essays," Vol. IV. Also Vizetelly's "Story of the Diamond Necklace." Tinsley Brothers.

the necklace—it was its purchase with such a design by one of the first prelates of the kingdom. Let it not be forgotten that all the means of rigour and of persecution obtained from Louis XIV., were maintained with a jealous care by this discredited clergy. What contempt must we feel for these musk-scented Dominicans who, with a smile and a witticism on the lips, without being sure of their own belief, were acting the part of the Middle Ages, without recalling in anything its sombre enthusiasm! The condemnation of Calas,* pronounced under such influences, was calculated immeasurably to precipitate the movement of opposition. We know that, passing beyond the Church, it soon challenged the most elementary gifts of spiritualism, but without ever forgetting to point out, whilst exaggerating them, the palpable abuses of the religion of the country. Voltaire had covered them with an immortal ridicule. The extravagance which belonged to these attacks increased their success by serving the passion of the moment. Anger which does not reason, willingly heaps up stones in the mud for its summary executions.

We have, then, face to face, towards the end of the eighteenth century, two irreconcilable tendencies which mutually drive each other to the last exaggerations. We can foresee how difficult it will be to understand one another when the moment of social innovation shall have arrived. If, in the liberal portion of lay society, they seek to explain what they wish with regard to ecclesiastical reforms, they acknowledge at the outset that they are not disposed to allow the vast and costly establishment which drains to its profit the best resources of the country to continue to subsist on the present footing. They dare not, doubtless, speak clearly

* Calas Jean, a Protestant merchant at Toulouse, who was barbarously murdered under forms of law (on the 9th of March, 1762), which were employed to shelter the sanguinary dictates of ignorant and fanatical zeal. See "Encyc. Brit."

on this delicate point, but they unceasingly revert to it by way of allusion, at one time in discussing, as Mably, in his "*Considérations sur l'Histoire de France*," ("Considerations on the History of France,") the origin of the tithes and property of the Church; at another in lavishing sarcasms on the uselessness of the monastic life, with a concentrated irony by the masterly satirical pen of Montesquieu in his "*Lettres Persanes*;" or with that inexhaustible spirit, that supple, fertile, and cutting genius of Voltairian raillery. Public opinion has made such progress in this direction, that already, in the middle of the century, a comptroller-general ventures to propose one of the boldest measures of the constituent of 1789, and does not fear to attack the sacred and inalienable domain of the Church. Machault, in 1749, expressed the intention of alienating one portion of the property of the clergy to cover the deficit of the royal treasury. But if public opinion pronounced itself strongly against the accumulation of riches in the hands of the clergy, the nation felt no impatience to possess itself of them. France is naturally much more ardent for general ideas than for interests; and the pressure of circumstances was needed, to induce it to put forth its strong will to modify the conditions of ecclesiastical property.

It was not so with the second object of its aspirations; it already passionately claimed toleration for all opinions. Liberty of thought and of belief was in the first line on the programme of the new generation, and it was very determined to modify ancient society in this respect, though it were to overturn it. It will be the eternal honour of Voltaire to have truly and sincerely loved toleration. I do not know whether he had the fever at every anniversary of Saint Bartholomew; it is not certain that his pulse was always felt on that day, but it is certain that he had fever in mind and heart—that noble fever of an unfeigned indignation at the thought of the crimes of intolerance. The only mistake is in

maintaining that he invented toleration, and that without him it would not have existed in the world: that is materially false. Without speaking of the first apologists of Christianity, so clear on this point, William Penn, in the preceding century, had inscribed religious liberty at the head of the constitution of the State founded under his auspices. The little State of Rhode Island in America had honoured itself by the most enlightened practice of this great principle. We ought to add, that it had been seized in all its consequences only beyond the ocean. In France, the boldest or the most profound freethinkers brought to it strange restrictions. We applaud Montesquieu, when he puts in the mouth of a young Jew an eloquent protestation against religious persecution, thus expressed:—

“You wish that we should be Christians, and you do not wish to be such yourself. The character of truth is its triumph over hearts and minds, and not that powerlessness that you avow when you wish to make it be received by punishments.* The chief strength of religion comes from this, that we believe it; the strength of human laws from this, that we fear them.”† And yet, very far from drawing the consequences of these fine maxims, Montesquieu formally denies one of the first applications of religious liberty by refusing to a new religion the right of propagandism. “As it is almost only intolerant religions which have a great zeal to establish themselves elsewhere, because a religion which can tolerate others dreams little of its propagation, that will be a very good civil law when the State is satisfied with the religion already established, not to suffer the establishment of another. Behold, then, the fundamental principle of political laws in the matter of religion. When it is in our power to receive in a State a

* “*Esprit des Lois*,” Liv. XXV. chap. xiv.

† *Ibid.*, Liv. XXVI. chap. ii.

new religion, or not to receive it, it is not necessary to establish it there; when it is established, it is necessary to tolerate it."* We might suppose we were reading a contemporary of Trajan and of the younger Pliny. Do we not feel that there appears in these words the old Roman and French idea of religion for the State and for public order? Montesquieu adds: "When the laws have thought it right to suffer several religions, it is necessary also that they oblige them to tolerate each other. It is, then, useful that the laws demand of these diverse religions, not only that they do not trouble the State, but also that they do not trouble one another." Thus everything reverts with him to the authorisation of the State. Religions exist only under its good pleasure, under its surveillance, and it is it which pacifies their discords. The civil constitution of the clergy and the laws of Germinal year X. are in germ in these haughty words.

In Rousseau the germ had its full expansion. The citizen of Geneva was, assuredly, a partisan of toleration. The decree of the Parliament of Paris, which had caused his "Emile" to be burnt, and the mandates of Monseigneur de Beaumont had sufficed for his instruction in this respect. It was he who had, after all, inflicted the most terrible blow on the ancient French society, because he had brought to the new movement his serious passion, and communicated to the young generation the fire which was devouring his heart. He had also the fatal honour of forming the French Revolution in his own image. He reigned without dispute over its most powerful and most devastating period. We comprehend how much weight must have been attached in our first deliberative assemblies to his ideas on the organisation of religion. It is from his "Contrat Social" that it is necessary to seek its most precise formula. Strange thing! this chart of the

* Ibid., Liv. XXV. chap. x.

future Revolution, this programme of the boldest renovation, is all imbued with the favourite ideas of Bossuet; it is a kind of Gallic deism, with the same terrible sanction as the Gallicanism of 1682 and 1685; it is the religion of State reduced to a small pittance concerning dogmas, but as rigorous, as implacable, as if it had to maintain the catechism of the Council of Trent. The sword is drawn for a lessened formula, but it is not the less drawn for it before the affrighted eyes of the dissidents. The *Contrat Social*, to say all, is Louis XIV. as a violent Jacobin.* It is true, that the sovereign calls himself Legion, that he is not personified in a single man, that he represents the entire people, and that he has for Versailles a tumultuous Forum; but he is not the less absolute, indisputable, absorbing as a whirlpool, for he annihilates all initiative, all individual liberty; he is a despot in the most real sense of the word. Rousseau desires that this despot should be a good prince, and leave to each citizen the right of thinking what he pleases; but the concession is not great, for, however haughty for the human conscience have been the claims of the religious tyrannies of the past, they have never crossed the interior court; thought has always remained free and incapable of being seized. But that which has everywhere characterised religious despotism, is the claim to prevent the public manifestation of individual differences of opinion. Now such is just the thought of Rousseau. Let us judge of it by his own words:—

“There is a profession of faith purely civil, whose articles it belongs to the sovereign to fix, without being able to oblige any one to believe them; he may banish from the State any one who does not believe them; he may banish him, not as impious, but as unsociable, as incapable of sincerely loving the laws and justice,

* (*En carmagnole.*) There was a costume, song, and dance, of this name, very popular with the more violent Revolutionists. See “Carlyle’s French Revolution,” Vol. II. p. 292.

and of sacrificing, in case of need, his life to his duties. If any one, after having publicly acknowledged these dogmas, should conduct himself as not believing them, let him be punished with death; he has committed the greatest of crimes; he has lied before the laws."

In reading these lines, I seem to see in the distance Robespierre celebrating the feast of the Supreme Being in face of the guillotine. Rousseau would have been the first to detest the application of his own theory; but when we consider that he positively formed, in great part, the generation which made the Revolution, we comprehend how it could have committed the greatest faults whilst regulating the relations of Church and State. Evidently it was ill prepared by its eloquent teacher to protect liberty of conscience.

What we have said of the moral state of the clergy in the eighteenth century explains the attitude which they took, in face of the demands of public opinion on the employment of their riches and on the intolerance of the laws. We see them in 1749 energetically protesting, by the Cardinal de la Rochefoucault as their spokesman, against the schemes of Machault, and against the edict, of the same year, which rendered obligatory the royal authorisation for every new acquisition or foundation. The Court yielded on the first point, in the hope of appeasing the religious quarrels; and Machault was sacrificed to the implacable rancours of the ecclesiastical proprietors. In 1788, the assembly of the clergy, called to vote on the resolutions adopted by the Assembly of Notables—resolutions which, for the first time, subjected all lands to taxation, including ecclesiastical property—protested with great energy against an innovation which seemed to them to subvert the Divine and human laws.

"Our immunities," ran the memoir presented to the king, "take their source in the consecration, the destination, and the primitive exemption of our property; this property is devoted,

consecrated to God, with exemption from all charge foreign to its destination. It is to fulfil these vows and these charges that the property of the clergy, by an irrevocable consent of the king and of the nation, forms an inalienable and sacred domain. We will dare to say to a master whose magnificence equals his power, 'Our conscience and our honour do not permit us to consent to change into necessary tribute that which can be only the offering of our love.' May it please God to preserve always to France this ancient constitution, which, by the strength of its spirit, superior to the revolution of times and to the licence of opinions, has carried the kingdom to the highest degree of splendour."

Such was, in 1788, the opinion of the high clergy respecting ecclesiastical property. Were they better disposed towards toleration of opinions? We have noticed with what importunity they invoked legal repression against the writings of philosophers. These demands, already very strong, were stamped with a special bitterness in 1781 and 1782. They resolved to denounce to the king every opinion contrary to Christianity.

"The alarmed provinces," we read in the memoir presented on this subject by Dulau, archbishop of Arles, "unanimously tender to the solicitude of the general clergy this formidable crowd of anti-Christian productions spread, *with impunity*, from the bosom of the capital to the extremities of the kingdom."*

What is more serious, is the attitude of the last assemblies of the clergy in respect to the Protestants. We have already said that the eighteenth century had maintained with respect to them the legislation of Louis XIV. One of their pastors, François Rochette, had been executed in 1762, and the death—let us say rather the judicial murder—of Calas, goes back to the same epoch. The explosion of indignation raised by this last crime, and elo-

* Introduction to the reprint of the "Moniteur," p. 365.

quently sustained by Voltaire, had more advanced the cause of Protestantism than half-a-century of obscure sufferings. People did not yet venture to ask that it be tolerated as religion, but they were ashamed of the proscription which smote one of the most honourable classes of the population. Already, for some years, the magistracy, alarmed by all the injustices favoured by the absence of civil standing for the Protestants, had sought various judicial expedients, to meet the difficulty; but these expedients, changing from one resource to another, were very insufficient. The friends of toleration openly urged the legal recognition, if not of Protestantism, at least, of Protestants, by the concession of a regular civil status. Malesherbes had composed, in 1785, and in 1786, two memoirs on this subject, adding to them a project of law. At the Assembly of Notables of 1787, the Marquis de la Fayette, who had inhaled in the United States the air of liberty, took the initiative of a formal proposition which ended in the Edict of Toleration of 1787. Nothing could better make us appreciate the state of French legislation in the matter of religious liberty at this epoch than the lively satisfaction with which the publication of such an edict was received. It stated in its preamble that the king would always favour, with all his power, those means of instruction and persuasion which would tend to the good of all his subjects through the common profession of the ancient faith of the kingdom. The first article was thus couched: "The Catholic, Apostolic, and Roman religion shall continue *alone* to enjoy, in our kingdom, public worship." The edict granted to the non-Catholics, whose name, through a sort of religious shame, was not even mentioned; first—the right of living in France, and of exercising therein a profession or a trade without being disturbed on account of religion; second—the permission to be legally married before the officers of justice; third—the authorisation of causing births to be verified before the judge

of the place; fourth—a regulation for the interment of those who could not be buried according to the Roman Catholic rite.* These concessions were, doubtless, very important in practice, but they did not inflict any blow on the principles of the ancient society; the unity of the faith of the kingdom was preserved. Nevertheless, they raised the most energetic, the most inconceivable opposition, in the assemblies of the clergy at the moment when they were demanded, then warmly applauded by the laity. The Parliament of Paris made, indeed, some remonstrances before the registering: D'Espréménil cried, whilst showing the image of Christ to his colleagues, "Do you wish to crucify Him once more?" But this ridiculous freak, as well as the timid demands of the parliament, were provoked only by the spirit of opposition with which this great body was then animated against everything emanating from the court. Nothing better suited the public sentiment than these concessions made to the persecuted, since their cause had been pleaded by the philosophers; for it required the *éclat* and excitement of a sharp and spirited discussion to render it interesting in France. The high clergy, alone, did not cease to protest against this progress of opinion in favour of the Protestants, and specially against the imperfectly compensating measures which it had brought about. At the time of the coronation of Louis XVI., a prelate, less known by his virtues than by his ambition, Loménie de Brienne, archbishop of Toulouse, had held this language to the monarch:—

"Sire, you will reprove the counsels of a false peace, the systems of a guilty toleration. We conjure you, Sire, do not delay to take away from error the hope of having amongst us temples and altars. It is reserved to you to give the last blow to Calvinism in your States. Order that the schismatic assemblies of the Pro-

* De Félice. "Histoire des Protestants de France," p. 543 and p. 549.

testants be broken up; exclude them without distinction from all offices of public administration, and you will secure for your subjects unity of Christian worship."

The assemblies of the clergy, held from the accession of Louis XVI. to the Revolution, are continually complaining of attempts made by the Protestants to obtain liberty of conscience. We read the following words in the report presented in 1789, by the Abbé de la Rochefoucauld: "This sect which, in the midst of its ruins, preserves the spirit of boldness and independence which it had from its origin, wishes to usurp, for falsehood, rights which belong only to truth." The question was, let it be remembered, of the right of not being treated as a wild beast surrounded in the woods. "This sect has the audacity to demand a *civil* and religious existence! Thence, the necessity of opposing a vigorous resistance to all its efforts." The archbishop of Arles caused a voice of greater authority to be heard in the same assembly. According to him, the country and the Church are in danger; everything forebodes a violent tempest, and he utters the cry of the disciples in distress: "Lord, save us." The kingdom is in peril; for Protestants are admitted, contrary to the laws, into a great number of offices. That does not hinder the good archbishop from declaring his love for his erring brethren. "They are, nevertheless, our fellow-creatures, our fellow-citizens, our brethren. Ever shall we love and cherish them. Far from us be the sole thought of the sword. The militia to which we are called is purely spiritual." The orator forgot those nimble pens, charged by Bossuet, in his funeral oration over Letellier, to bear to future ages the knowledge of the exploits of that holy man for extirpating heresy by the most abominable persecution. The sabres of dragoons, and the sword of the executioner, could not pass for a pacific crook. The archbishop of Arles declared that he put all his confidence in the touching and luminous instructions of the Church and in her in-

structive examples. But neither did the instructions appear to him sufficiently luminous, nor the examples sufficiently instructive to dispense with supplicating the temporal power to add to them the weight of a practical instruction more easy to comprehend. The assembly of the clergy, held in 1788, formally demanded of the king to withdraw his edict of toleration. This was its last public act, and, as it were, its testament.* Happily, no one in France welcomed the legacy.

We have not cited these facts to bring discredit on the ancient Church of France. Great bodies like it are only slowly enlightened, because they preserve their traditions with a jealous care. The more we advance in the study of history, the more we are convinced of the unheard-of facility with which human nature unites the strangest contradictions; it is constantly tempered by inconsistency. Generous sentiments are found in the same man by the side of the most fatal prejudices. Assuredly, the high French clergy reckoned in their ranks more than one mind of an elevated and liberal turn; but they carried the weight of a secular error.

Now that we have characterised the tendencies which are about to enter into strife, we shall not be astonished at the formidable conflict which broke out in 1789. We shall have more than one occasion to regret that their opposition was not more radical in its basis; for, whilst combating each other, the parties at strife set out from the same principle and made use of the same weapons. We shall see the boldest innovators defend the cause of toleration by intolerant measures, make sacrifice, even they, to false religious unity, and, under pretext of freeing conscience, violate it outrageously among their adversaries. On another side, these assailed,

* "Histoire de l'Eglise de France," par l'Abbé Guettée, Liv. XII., ch. i.

in their turn, in this interior court, which they had not respected among their brethren, wounded in those sacred rights which they had not admitted in the days of their prosperity, will rise again under opprobrium and persecution, and, without knowing it, will labour by their sufferings to obtain that liberty of conscience which they had neither known how to comprehend nor to protect against the despotism of the civil power, praised by them so long as it had been their docile instrument.

This cursory view of the state of the French clergy would be incomplete if we spoke only of its high dignitaries. The nobility occupied in it all the lucrative offices and brilliant positions. The breath of renovation which was then passing over the aristocracy, and which had brought about the glorious adventure of the American war, had touched the noble prelates, but without shaking their ecclesiastical prejudices, properly so called; they remained invariably faithful to them, with the exception of Lefranc de Pompignan, archbishop of Vienne, and of the young bishop of Autun; it is true that this latter had the ecclesiastical vocation in the feeblest degree imaginable. It was not so with the inferior clergy. Badly paid, held in dependence by their superiors, they were inclined to continual discontent. Sprung, in great part, from that intelligent and energetic body of citizens who felt that their day was come, they were imbued with their opinions. They reckoned in their ranks a certain number of Jansenists, who belonged, beforehand, to the party of progress, for they had the most just grievances to allege against the ancient order of things. It was at their expense that the union of Church and State had been, for a century, tightly riveted. The monasteries, encumbered with men without religious vocation, concealed in their retreat more than one dangerous agitator, yet unknown to himself. On the whole, the opinions of the inferior clergy did not exceed the measure of a moderate but very firm and very decided liberalism,

at least in the provinces of the centre and of the east of France; for the west and the south belonged to the religious passions of the past. It was an abbé who, at the time of the Convocation of the States General, pronounced the decisive word which was destined to cut, like a sword, the capital question of the representation of the different orders at the approaching assembly. The pamphlet of the Abbé Sieyès gave the most precise and happy expression to the public sentiment: it was to lend it wings, and to add to it an irresistible force of circulation and impetus. The Abbé Gouttes published considerations "Sur l'Injustice des Pré-tentions du Clergé et de la Noblesse,"—"On the Injustice of the Pretensions of the Clergy and Nobility,") the Abbé Pacot letters "Sur la Liberté Politique,"—"On Political Liberty,") and the Abbé Grégoire, who was shortly to play so great a part, his "Lettres aux Curés,"—"Letters to the Parish Priests.") We even see the revolutionary spirit, with all its exaggerations, beginning to dawn in the little work of a priest of the diocese of Auxerre, entitled, "La Gloria in excelsis du Peuple,"—"The Gloria in excelsis of the People,") but it was only an exception. Such was, at the special point of view with which we occupy ourselves, the state of mind at the moment when all innovating aspirations were about to produce themselves freely in open day, and to meet no other obstacle to their realisation than their own rivalries and contradictions. It was not possible to lay hands upon the State without laying hands, at the same time, upon the Church, so strictly were they bound together under the ancient *régime*. We are, therefore, about to see the question of their relations stated from the commencement of the Revolution, with all its perils, but in order to march irresistibly to its solution, from fault to fault, and also from progress to progress; for each fault acknowledged, even after having been dearly paid for, contributes to free the future from obstruction.

BOOK I.

THE CONSTITUENT.

Chapter i.

*Legislative preliminaries.—The first debate on liberty of worship.**

ALL has been said on this unique hour of our history, in which, previous to all the irritating debates, France felt herself live in a national representation worthy of her, and saw the future under the brilliant colours of that beautiful sun of May, which shone upon the opening of the States General, expected and demanded with so much ardour. "Never laugh at your youth," said a great poet. Let us equally respect this rapid season of enthusiasm for the public good, so much the more to be admired that it flourished in a race which seemed to have grown old; let us not turn into derision this facility to hope everything, this unbounded confidence so soon deceived. If the summer does not answer to the spring, that does not prevent the spring from having had its boil-

* Next to the ordinary sources, we may consult with advantage on this first period of the history of the Revolution, "L'Histoire de Louis XVI." by M. Droz. This work has been compiled, in part, from the "Mémoires de Malouet," unfortunately not published. There may, also, be read, with advantage, the "Génie de la Révolution," by Ch. L. Chassin, Paris, 1863, Vol. I. "Les élections."—This book, marked by great bitterness against Christianity, and excessive indulgence for the violences of the Revolution, contains valuable particulars on the elections of 1789, and a well-executed analysis of the official instructions of the different orders.

ing sap. Without what you call illusions, nothing could have been undertaken, no result would have been obtained. If there are still, to-day, invincible resistances to the general flattening, incurable regrets, and generous aspirations, it is because there still remains something of the illusions of 1789. They remain, after all, the ideal which hovers over our history. From the day on which this ideal should have disappeared, we might say for modern Europe—The Lower Empire is made.

The clergy powerfully felt the ascendancy of this universal enthusiasm. The bishop of Nancy, who preached the inauguration sermon of the States General in the Church of St. Louis, at Versailles, so exactly expressed the sentiments which filled all hearts, that, despite the solemnity of the place and of the circumstance, he was interrupted by applause. Nevertheless, from this first day, any one might have been convinced of the profound divisions which brooded in their hearts; it was sufficient to open the official instructions* of the different orders. Not that there was not a full agreement on many very important points—such as the equal assessment of the taxes, the regularity of the Convocation of the States General, and the reform of abuses inherent in the feudal system. The official instructions of the clergy are distinguished by their liberalism in all that does not concern the privileges of the Church. “They there show themselves,” says M. De Tocqueville, “as much enemies of despotism as favourable to civil liberty, and as much in love with political liberty as the Third Estate or the nobility; they proclaim that individual liberty ought to be secured, not by promises, but by a procedure analogous to that of the *habeas corpus*. They demand the destruction of the State prisons, the abolition of the exceptional tribunals,

* Official instructions (*cahiers*) of the electors to the deputies at the States General.

the publicity of all debates, the permanency of all the judges, the admissibility of all citizens to the employments which ought to be open to merit alone, a military recruiting less oppressive and less humiliating for the people, and from which no one shall be exempt, the redemption of manorial rights, which, having sprung from the feudal system, were, they said, contrary to liberty; the unbounded liberty of labour, the destruction of inland custom-houses, the multiplication of private schools; and laic establishments of beneficence in all the provinces. In politics, properly so called, they proclaim, more loudly than anyone, that the nation has the imprescriptible and inalienable right of assembling to make laws and freely to vote the taxes. No Frenchman, they assert, can be forced to pay a tax that he has not himself voted, or by a representative. The clérgy also demanded that the States General, freely chosen, should be assembled every year; that they should discuss, in presence of the nation, all great affairs; that their deputies should be inviolable; and that the ministers should remain always responsible to them."* Perhaps, M. de Tocqueville has attributed to the clergy, as a body, an advanced liberalism, of which there was trace only in some of the official instructions; but it is not less certain that, for what concerns political rights, the clergy are not behind the other orders, that they are even more liberal than the nobility, although they are still very divided on the question of vote by head. Let us acknowledge, to their honour, that they insisted strongly on the abolition of the slave trade and of slavery. But this liberalism contradicts itself from the moment that the question is of their privileges and their position in the State. With rare exceptions, we find amongst them the same pretensions which they had not ceased to express in their periodic assemblies. Here is what we read in the official

* "L'Ancient Régime et la Révolution," p. 198.

instructions of the general assembly of the electors of the clergy: "You will impose on the assembled nation the profound respect which the divinity of its origin, and the gravity of its morality, ought to attract to the Christian religion; you will indicate to the States General the means of rendering to it all the influence which it ought to have on social order and the liberty of the people; you will be on your guard against fraudulent insinuations. You will cherish, in the depth of your heart, and you will manifest in every circumstance, the most sacred and the most respectful love for the sacred person of his Majesty."* It is just, nevertheless, to remark important differences in these official instructions. When they emanate from the assemblies in which the high aristocracy predominates, they insist on the Divine right, but they vindicate the right of the people wherever the parish priests have been in the majority.

The high clergy, themselves, were divided. Whilst Alexander de Marbœuf, archbishop of Lyons, in his mandate of Lent, 1789, speaks only of the anarchy and subversion prepared by the new ideas, Thémines, bishop of Blois, offers the half of his revenue to the country, and the archbishop of Bordeaux preaches—to the great, sacrifices; to subjects, moderation; and to all, concord.† But this liberalism does not go so far as to acknowledge liberty of conscience. The official instructions of the Third Estate, and a good number of those of the nobility, openly claim the consecration of toleration, without yet venturing to demand the abandonment of a national religion; the clergy insist on the necessity of maintaining in France the Catholic religion as the State religion; they demand that the publication of every anti-religious writing should be stopped. They confess without evasion that they need to be reformed in many respects,

* Chassin. "Génie de la Révolution," I., p. 316.

† Ibid., I., pp. 253, 254.

but on condition of preserving to them all their prerogatives. They wish that people should actively occupy themselves with the instruction and education of youth; but the majority of their instructions vote that this work should be entrusted to the Church. In fine, whilst fully admitting the necessity of re-establishing the discipline, and of modifying the organisation, of the monastic orders, they claim their maintenance. Truly, the distance was great between such views and those which were laid down on the same points in the instructions of the Third. The force of public opinion was such, according to what Bailly relates in his "Memoirs," that, in the meeting for choosing the electors of Paris, there was heard from every part this cry: "No clergy! no clergy!" The wish was not to suppress the calling, but the ecclesiastical order.* The official instruction, drawn up by the deputation of Paris, reveals this profound disagreement. Whilst fully admitting that the Catholic religion is the dominant religion in France, it is there plainly declared that religion is established by persuasion, and never by constraint, and that the Christian religion enjoining civil toleration, every citizen ought to enjoy private liberty of conscience; that all transport of pence to Rome ought to be prohibited; that no dignitary of the clergy ought to be excused from the duty of residence; that it is necessary to abolish the monopoly of benefices; that vows of religion, made in future, should not bind monks and nuns to their monasteries; and that these said monks should not be able to dispose of their property in favour of these monasteries.† This was boldly to lay the hand on abuses which still seemed sacred rights to the majority of the clergy. The collision between claims so contrary was not to be put off.

The deliberation on the vote by order or by head in the States

* "Mémoires de Bailly," I., p. 19.

† "Histoire Parlementaire," by Buchet and Roux, I., pp. 345 and 346.

General gradually revealed this division. The fate of the French Revolution depended on it; the question of form became preeminently the question of basis; the very existence of the ancient *régime* was put on trial; no innovation was to equal the importance of a resolution which decidedly put an end to the era of privileges; for to cause these last to be discussed by the majority of the non-privileged, was to condemn them beforehand; it was for the two orders that lived by them to place themselves under the level which was about to pass over entire society, and to efface all protuberances of the soil. We comprehend how ancient France may have had some trouble in accepting its own death. Men had come with the sincere desire of putting the hedging-bill and even the hatchet to the parasite branches and to the excrescences of the old oak, but they were not disposed to cut it up by the roots. Neither royalty, nor the nobility, nor the majority of the clergy, were prepared for such an overthrow. For the clergy, with whom alone we have to occupy ourselves, the union with the commons had a gravity without parallel. The very idea of the priesthood made to itself a law of isolation. Like those rivers which run through lakes without mingling their waters with them, the clergy had believed it to be their duty, up to that time, to preserve a distinct existence in the country, and to separate themselves from the mass of the nation, as that which is sacred separates itself from that which is profane. Constituted on the model of the Hebrew Levites, they bore the seal of a sacred character in their garments, in their organisation, and even in their properties. To bend under the common law, to admit that they could debate their interests with the laity, to submit themselves to a majority which was not formed of their own order, was to accomplish the most unheard-of renovation in a time which was not to recoil from any boldness. The fusion of the orders in one single assembly was then, for the clergy, the greatest sacrifice that they could

make. It would be unjust to condemn their hesitations and their scruples, but all their efforts were to miscarry against superior ability put to the service of manly enthusiasm. Those, in fact, wield the greatest moral power who associate ardour with skill in action, passion with prudence. The Third Estate, during the long days which preceded the union of the three orders, gave proof of a true political genius, soon to grow feeble in the moment of triumph, when it would have no longer to restrain and watch over itself in order to conquer. The Third knows what it wishes; it pursues a near end with an energetic perseverance which nothing wearies; no false step retards its victory. It lends itself to efforts of conciliation, which put justice and moderation on its side, stopping at the precise limit where concessions would be transformed into fraud. As soon as energy is needed, it shows it indomitable, and rises with the occasion, even to the sublime—as at the Tennis Court—in a grand scene, which strikes the imagination and excites the noblest passions. Amid an eloquent race, which requires that great words rouse great actions, and which willingly does the latter at the prompting of the former, it has the inestimable happiness of possessing the prince of orators of modern times, sincerely raised, despite his vices, to the tone of the general enthusiasm, and finding, in order to express it, an inflamed, cutting language, sometimes terrible as thunder, which leaves behind it a long furrow of anger or of passionate admiration. It is on his battle-field that it is necessary to hear Mirabeau, in the midst of those stormy sittings of which his own journal gives the most faithful image. He who has read him only in rhetorical collections does not know him. We comprehend, in reading his vehement extemporisations, in which passion is mingled with a natural logic of the most compact order, that he is in the intellectual rank of kings by Divine right, who, with a word, know how to throw light and fire into the bosom of the Assembly

which they subjugate, even when it is condemned to admire without esteeming them.*

The victory of the Third Estate was certain from the first day, for it was by much the strongest; when we read the reports of the deliberations of the order of the clergy, before the union, we at once acknowledge that it is much more divided than the order of the nobility. On the first vote a minority of a hundred and fourteen voices gives its opinion in favour of the verification of the powers by the three orders united. This minority comprises only three bishops the first day; it is composed then principally of the inferior clergy; these last have sprung from the Third, and their origin has more influence on them than their robe. The majority is restrained by the numerous opponents which it has in front of it; therefore, it is more moderate in its resistance than the chamber of the nobility. The deputies of the Commons, who bring the wishes and the supplications of the Third, are well received. The clergy are carefully on their guard against a precipitate answer. Measures of conciliation and delay are eagerly welcomed; but the majority are none the less decided not to yield, for it is, in their eyes, a question of life or death, and they are not deceived. It is from them that the idea of a commission of conciliation goes forth. They propose in it a half measure, which consists in proceeding separately to the verification of the powers, and in remitting disputed cases to commissioners named by the three orders, after that each order shall have received communication of the result of the deliberation of the two others.† The nobility, in repelling, at the outset, this proposition, make a fine match for the commons, who preserve all the

* See, on Mirabeau, the eight volumes published by Lucas de Montigny, all filled with extracts from his correspondence and from his first writings.

† See the "Moniteur." Sitting of May 25, 1789.

appearances of moderation. The fear of being dependent on a mixed assembly is so great that the majority of the clergy do not hesitate, spontaneously to offer what they had refused with so much obstinacy in 1788. They cause to be announced to the Third Estate the disposition of the chamber to renounce all pecuniary exemption. This decision was not solely prompted by the desire of turning aside a dreaded blow, and of, in some sort, sharing the hearth, but also by the ascendancy of public opinion and the firm decision of the minority.

The Commons were very disposed to accept this sacrifice, which besides was required by the almost universality of the official instructions: but we are greatly mistaken if we imagine that they would be content with it. They remained immovable in their first resolution. But the majority of the clergy took a measure which revealed a rare political spirit and that consummate skilfulness which is due to delicate negotiations. The question of livelihoods was one of the first with which the legislators of the country were to occupy themselves, on account of the increasing dearness of grains. The public misery was frightful. What was there more conformable to the holy mission of the clergy, than to ask the abandonment of all political questions, in order urgently to occupy themselves with this question of charity? If they succeeded in getting the different orders to deliberate on a subject so pressing, the deliberation by order was carried by surprise, and an impulse of sensibility and generosity, which it was easy to provoke, would save the Church of France, and by the same opportunity, nobility and royalty. In the sitting of the 6th of June, it was unanimously decided, in the midst of the Chamber of the Clergy, to nominate a commission to take into consideration the dearness of grains, and the two other orders were invited to occupy themselves equally with the same object.* Without

* See the "Moniteur" of the 6th of June, 1789.

doubt, the minority voted this proposition without any after thought of laying a snare, but we could not contend that there was not there a manœuvre plotted by the leaders of the majority; at that very moment, they were parleying with the king to prepare a *coup d'état*. Bailly, president of the Commons, replied very skilfully to the orators of the first order: "The most ardent wish of the representatives of the people," said he, "is to come to its help. The decree of the clergy authorises them to believe that this order shares their impatience in this respect, and that it will no longer object to a union, without which the public evils could only increase." Thus beaten on all the grounds on which they had placed themselves, the high clergy who were in understanding with the Court, openly urged the *coup d'état*; there was so much the more need of it, that the minority was becoming pressing.

After the closing of the conferences of conciliation held between the commissioners of the three orders and the royal commissioners, the partisans of union with the Third had ended by obtaining the majority, and had decided that they would act in conformity with their views on the first day; already several parish priests had preceded them amid the applauses of the assembly. The royal sitting took place on the 23rd of June; the National Assembly, according to the words of Sieyès, remained after the sitting what it was before, that is to say, sovereign; it was not so with royalty, conquered by the first collision, and weakened of all the power which it had claimed and not found. The proud answer of Mirabeau announced that the new right was stronger than the ancient right. It may be seen by the declarations of the intentions of the king, read at the famous sitting, in what a feeble degree the high clergy counted on associating themselves with the reform of abuses. There was no question in the royal programme except of the equalisation of the taxes and of the redemption of some feudal rights. The Church was to preserve all its privileges, to

possess the monopoly of worship, and to yield nothing of its essential prerogatives. The king secured the future by imposing the separation of the orders by a stroke of authority which he did not know was to resound in vacancy. This stroke of authority was the blow of despair of the high clergy and of the party of the nobility, strangers to the new breath. In vain did the two orders solemnly unite to adhere to the royal declaration; the National Assembly, in maintaining its right, secured its ascendancy. Already the new majority of the clergy, led by the archbishop of Vienne, had taken sitting, as well as an important fraction of the nobility. Popular commotion began to bring its dangerous support to the Commons. The king gave way, and the two orders are obliged by his formal command to unite with the National Assembly. The opponents among the clergy endeavoured, at least, to shield the future by protesting against that which was, in their eyes, the overturning of the bases of French society. This protestation, made by the archbishop of Aix, powerlessly expired, at the foot of the tribune, under the blow of this energetic speech of Mirabeau's: "No one can continue a member of the National Assembly if he does not acknowledge its sovereignty; and the Assembly itself cannot deliberate in presence of anyone who believes that he has the right to protest against its deliberations."* It was, then, over with the hierarchy of the past; there remained standing only the sovereignty of an assembly. Historic right was thrown to the earth; it was too much so, perhaps, but it was so without appeal. The Revolution was consummated, for it could do nothing bolder, at least in its first period, than that which it had just done in a few days. In what concerns the Church of France, it was no longer a society apart in the State, it was no longer on its own good pleasure that its reorganisation was to depend. Like all other institutions of the past, it was

* Sitting of the 1st of July, 1789 ("Moniteur").

about to fall under the appreciation and criticism of the representatives of the entire nation. It was to be feared that this control would exceed the just measure, and that in consequence of the inextricable confusion of the temporal and the spiritual, they would quickly offend the religious conscience, even when they thought only of reforming a political abuse. This was the grave peril of the situation such as it had been made by the opposite passions which were about to take their swing in the hot debates of which we shall have to measure the bearing and to appreciate the result.

It seemed that the National Assembly, once constituted, had only to undertake its great constitutional work. But it was necessary above all that it should secure its existence, which it knew to be threatened. Then intervened a new power, irregular and violent, dangerous, even when it saves liberty, because it arrogates to itself all right over it on the morrow of its triumph; a power whose imperious *vetos* were much more to shackle the independence of the deliberative assemblies than the *vetos* of monarchy. That power was riot. We are far from blaming every popular rising; there are sublime ones which have saved the independence of the country; but in the state of ignorance in which the masses were plunged at the end of the eighteenth century, and in which they were still languishing, these explosions of the public sentiment had the character of wild and undisciplined forces. The instructed classes fanned the fire of an indignation which was often legitimate in those rude and simple hearts served by robust arms. They imagine that the roused people will stop at the precise point at which they themselves stop. But it is nothing of the kind. When the breath of the tempest has passed over those great human waves, the intelligent liberalism from which it emanates, is powerless to say to them: *Thus far and no farther*. The obscure wave drives on the tide, the banks are carried away, and

the initiators of the movement are the first to curse it, for they are submerged. They would do better to complain of themselves. Whose fault is it if those generous forces which they have raised are blind? Do they not suffer the chastisement of their disdainful forgetfulness of that people whom they remembered only on the day when they had need of their bold resistance? If they had instructed them, loved them, associated with their ideas, they would have found them not less courageous, but they would have acted as a moral force, which knows how to contain itself, the only means of founding and preserving liberty. Demagogism will always end by drowning in its tumultuous waters moderate liberalism, so long as this last will not be sufficiently wise to busy itself fraternally with the people in peaceable days. It will be the just chastisement of its selfish indifference. Such is the grand lesson which is taught by the stormy beginnings of the French Revolution. Surely, when foreign troops were encamping at Versailles, ready brutally to close the national parliament, it was right to rely on the people of Paris; but this same people which had saved its parliament, was, later, to constrain and oppress it. For having wished to make it their instrument and nothing more, the liberal classes were to end by bowing to its impetuous will in enthroning the despotism of the street, which is, after all, the worst of all, and which, besides, brings back the other. We applaud the people who take and overturn the Bastille. It is the same, nevertheless, which will surround the guillotine on the Place de la Révolution.

We shall see that riot never exercised a more imperious ascendancy than when the religious question was put before the National Representation.

The people of Paris were not, at the commencement, ill disposed to religion. In the terrible riot of the 14th of July, they bore down, it is true, upon the house of Saint Lazare. Never-

theless, it was not against the religious establishment that they had a grudge, but against the prison which was annexed to it. They confounded in their hatred of arbitrary power a political prison such as the Bastille, and a house of correction very necessary for good morals. The Sisters of Charity of Saint Lazare were respected and protected. Irreligious passions were so little roused at this epoch, that after their great victory of the 14th of July, the people of Paris put the rising Revolution under the protection of St. Geneviève. A solemn procession was made to render thanks to God for the taking of the Bastille. The combatants, with their wives and their daughters, carried *votive offerings* and bouquets to the patron saint of Paris. The citizens of the Faubourg St. Antoine were seen repairing to the church, preceded by young girls in white and a numerous clergy. They piously celebrated the funeral service for the citizens who had died at the Bastille. These dispositions quickly changed, but they show that, at the commencement of the Revolution, the impiety which was destined to be so fatal to liberty had not penetrated into the masses.

The date of the 4th of August remains for ever glorious in our annals. Our fathers gave one of the finest spectacles which can be contemplated, that of one of those generous outbursts of enthusiasm which, formed on the heights of the human being, mingle in an irresistible current all that is noble and disinterested in men's hearts. It should be called a Pentecost in the purely human order, so sudden and sovereign is its effect. Nothing better makes known our French nationality, in its finer aspects, in that gift of heroic impulse, of prompt and imprudent generosity, in that sympathetic power which communicates one electric spark to minds the most divided. Perhaps, also, if we had the courage to criticise, we should discern some of its imperfections in that memorable night, for so ardent an extemporisation of reform had indeed its peril; not thus is society renewed; a beautiful summer storm

does not suffice for it. What an hour has destroyed an hour may restore; a slow elaboration is more lasting, for it takes into consideration the legitimate interests which are rendered more long-lived by being roughly handled. There was, in our opinion, more than one grievous imprudence in this striking down of abuses. But admiration covers all criticisms. The night of the 4th of August reveals all that there was of human faith in this incredulous age; it does not diminish the regret we feel to see human faith separated from religious faith, but it makes us just towards a generation whose descendants appear very unworthy, when we see them grown sleepy in prosperity, and ask ourselves what they have risked and sacrificed for liberty!

The entire clergy, as well the great dignitaries as the parish priests of limited incomes, followed the general impulse. The nobility had just renounced their feudal privileges. De la Fare, bishop of Nancy, rose and expressed himself in these terms:—

“Accustomed to see near at hand the misery and the grief of the people, the members of the clergy form no more ardent wishes than those of beholding them cease. The redemption of the feudal rights was reserved to the nation which wishes to establish liberty. The honourable members who have already spoken, have demanded the redemption only for the proprietors; I come to express, in the name of the members of the clergy, a wish which honours at once justice, religion, and humanity. I demand that if the redemption is granted, it do not turn to the profit of the ecclesiastical lord, but that there should be investments made of it useful for the benefices themselves, in order that their administrators may spread abundant alms over indigence.”

There was there the germ of a fertile idea which might have facilitated the transition between the ancient state of things and the new. The bishop of Chartres demands, in energetic terms, the abolition of the right of the chase; De Boisgelin, archbishop

of Aix, insists on the necessity of prohibiting every feudal convention and of suppressing the duty on salt. Two parish priests claim the execution of the canonical laws touching the plurality of benefices; Grégoire proposes the abrogation of the *annates*, a revenue received by the Court of Rome on vacant benefices. In fine, we see one of the representatives of the under clergy so miserably paid, offer what he himself called *the widow's mite*. Thibault, parish priest of Souppe, demanded that it should be permitted him to sacrifice his perquisites; other parish priests proposed to renounce their benefices. This noble sitting ended by the proposition of the archbishop of Paris to chant a *Te Deum* in the royal chapel. It was fitting that the name of God should be pronounced at the end of such a sitting, for all that is great and noble comes from Him. His breath had passed over this assembly, of which the majority were very far from being believing.

The clergy did not consider the gravity of the generous act which they had just accomplished. This gravity arose not from the importance of the sacrifices to which they had consented, but from the fact that the privileges of the Church had been submitted to the deliberations of the National Assembly by the clergy themselves. The question of the ecclesiastical properties was closely bound up with those which had been so rapidly decided. It could not be forgotten that the bishop of Uzès, supported by the bishops of Nîmes and Montpellier, had declared a willingness to refer to the wisdom of the Assembly about the property of the clergy, and to adopt what it should decree on this point. This word had not fallen to the ground; it opened up glimpses of reforms much bolder than those which had been realised, and of which certainly the honourable bishops were not thinking when they pronounced these words in an hour of unreflecting enthusiasm. Already on the morrow of the famous night, one of the gravest questions arose, that of ecclesiastical tithes.

They had been comprised in the abolition which had smitten all the tithes of the kingdom on the 4th of August, but it was a question whether they should be purely and simply abolished, or redeemed. In the sitting of the 6th of August, some ecclesiastics had timidly protested against individual renunciations made, according to them, with imprudent precipitation, but they had drawn down upon themselves this reply from Buzot :—

“I maintain,” he said, amid the murmurs of the right, covered by numerous applauses, “I maintain that the ecclesiastical properties belong to the nation. I rely on the official instructions of the ecclesiastics who ask of the nation augmentations of the allowances made by the tithe owners ; then they acknowledged the incontestable rights of the nation over the property of the Church. They would not have proposed to those who had no right to share property which did not belong to them.”

It might have been replied to Buzot, that he must first prove that the official instructions to which he made allusion, claimed the vote by head and not the vote by order ; for, in the latter case, they would have limited themselves to ask of the Church itself to regulate the employment of its properties ; which would not have been in anything a derogation from its ancient constitution. Buzot would have done better to rely on the actual deliberation of the Assembly, which proved by that alone its right to debate these grave interests. It might always be foreseen that the sacrifices offered by the clergy were a small thing, compared with those which would be imposed on them. Buzot flung these insolent words at them :—“The clergy have nothing better to do than to save at least appearances, and to appear to make of themselves all the sacrifices which imperious circumstances will force them to make.” Some days later, on the occasion of a loan for which they sought territorial securities, a deputy proposed to charge the ecclesiastical properties with an annual sum of 1,500,000

livres for the interests, and 500,000 livres for the redemption of the mortgage, and to levy previously for the benefit of the State, a right of *annate* on each vacancy. "Come, ministers of the altars," said he pathetically, "come to the help of the country, which gives to you its property." Immediately the archbishop of Aix, the bishops of Langres, of Nîmes and of Autun rose to declare that the clergy were ready to fulfil this great duty.* We understand their attitude, for this proposition left the property of the clergy at the disposal of the Church, and preserved the principle to which she essentially held. In reality, the question of the redemption of the tithes was identical with that of the ecclesiastical properties themselves. This clearly appeared from the proposition made by the Deputy Arnault on the 10th of August :—"All tithes shall be suppressed, dating from the 1st of January. The Assembly shall provide without delay pensions for the ecclesiastics." The bishop of Langres plainly stated the question :—"Are the ecclesiastics, or the nation, proprietors? To whom have the tithes been given? Is it to the nation? No, without doubt, they have been given neither to the nation nor by it." The violent murmurs which interrupted the orator showed him that he had touched a delicate point with all parties. It was, that *à propos* of the tithes, he had sought to preserve the very principle of the ecclesiastical properties, and nothing more offended the deliberate and passionate opinion of the majority. Mirabeau did not less widen the debate by these words :—

"The tithe is not a property ; property belongs only to him who can alienate the stock, and never have the clergy been able to do this. More than this ; the tithe is not even a possession, it is a contribution appointed to that part of the public service which concerns the ministers of the altars ! It is the subsidy

* "Moniteur," of the 10th of August, 1789.

with which the nation pays the salaries of the officers of morality and instruction. At this word *salary*, I hear many murmurs, and one would say that it offends the dignity of the priesthood; but, gentlemen, it is time in this Revolution which developes so many just and generous sentiments, to abjure the prejudices of proud ignorance, which make us disdain the words *salary* and *salaried*. I know only three ways of existing in society: it is necessary to be a *beggar*, a *robber*, or a *stipendiary* (*salarié*)."

This bold paradox had the appearance of liberalism, and yet, as we shall be convinced, it was contrary to true liberty. I do not see what it gains by increasing immoderately the number of the functionaries, and by putting under the hand of the State the soul and the conscience of the citizens. The sequel of Mirabeau's discourse proves that such was indeed his thought:—

"It is just and fitting that they (the officers of morality and instruction) should be endowed in a manner conformable to the dignity of their ministry and to the importance of their functions, but it is not necessary that they should be able to claim a pernicious mode of contribution as a property."

That which is of serious moment in these words, is not the proposition to abolish tithe, but this idea of a functionary clergy, officers of morality and of instruction. The abbé Sieyès answered Mirabeau the same evening. His discourse is a masterpiece of logic. He demands not the preservation of the tithe, but simply its reinvestment—that is to say, what they had wished on the night of the 4th of August. To discuss the origin of the ecclesiastical property appeared to him dangerous, for what property could resist a subtle metaphysics? When do we find original titles entirely clear and evident? Besides the tithe is a fine imposed on the land, not by the nation, like the taxes, which we are always free to preserve or to abolish, but by the proprietor himself, who had the right to give his property on

such conditions as he pleased. Consequently, it ought not to be suppressed to the advantage of the present proprietors, to whom the tithes to be collected on the lands acquired by them, have been taken into consideration in the sale price which they have paid. Lands have always been purchased minus the tithe by which they are burdened. Why make a present of seventy millions of rent to the French proprietors, when the sums arising out of this redemption can furnish to the State infinitely precious resources, without any fail to the primitive object of the tithes, which is the relief of the poor, and the maintenance of worship? Let them not invoke the interest of the people, for this superb present would be made to the rich, to the land-owner. "Do not cause it to be said to France, to Europe, that the good even which we do, we do it badly. I ask you, not if it is fitting, or useful to you, to possess yourselves of the tithe, but if it is an injustice. *They wish to be free, they do not know how to be just.*" The reflections presented by Sieyès deserved the most serious attention. Without pretending to conform exactly to his views, we believe that it was in this way that it was necessary to seek to reconcile the ancient rights with the new interests. They were not running the risk of exasperating the clerical resistance, and they were attaching the Church of France to liberty, by yielding it largely to her. This will come out with more clearness from the stormy discussions on the ecclesiastical properties.

The discourse of Sieyès could not lead back the majority of the Assembly. They opposed to him the exceptional nature of the corporations placed under the good pleasure of society, which, giving them a factitious life, can always withdraw it; they opposed to him, above all, the strong will to make an end of it. The clergy felt that this position was lost, that it was useless to defend it, and that it was better to fall back upon the office itself,

and to shut themselves up in it. They made their renunciation by the mouth of the venerable archbishop of Paris, M. de Juigné, and they made it in terms full of dignity. "We remit," said he, "all these ecclesiastical tithes into the hands of a just and generous nation. Let the Gospel be announced, let Divine worship be celebrated with decency and dignity, let the poor of the people be relieved—behold the end of our ministry and of our wishes! We confide ourselves to the National Assembly." To imagine that after that it would be possible to preserve in any degree whatsoever the ecclesiastical property, was to indulge the vainest illusion; the cause was lost from the first battle.

We shall conclude what relates to the preliminary labours of the Constituent by a rapid analysis of the discussion upon religious liberty on the occasion of the project of the Declaration of the Rights of Man. The National Assembly would not have been an Assembly truly French, and it would have denied the instinct and the genius of its race, if it had not commenced its work by philosophical generalities. One might have thought that before writing the preface, it would be better to make the book, and that it was of much more importance to frame good laws and to give true guarantees for liberty, than to proclaim abstract rights, which will never prevent an arbitrary act. There is always cause to fear that these beautiful tents serve to cover merchandise of every kind, and sometimes the saddest contraband of despotism. A declaration of rights has also the inconvenience of making too much abstraction of the past, of taking no account of facts. They would have done well to have inhaled the spirit of the following words of Mirabeau:—"Liberty never was the fruit of a doctrine worked out in philosophical deductions, but of every-day experience." But it was not possible that the philosophy which had made the Revolution should keep in the background on the day of its own triumph. Only, when they had

once made up their mind to put general principles at the head of the constitution, it was necessary to be complete, and to remember, as Grégoire reminded, "that man has not been thrown at hazard on the corner of the earth which he occupies; that if he has rights, it is necessary to speak of Him from whom he holds them; if he has duties it is necessary to remember Him who prescribes them." Without the declaration of duties, the declaration of rights is incomplete, and even dangerous; it passes by in silence the right of God, and it is thus that men wish to be free without knowing how to be just.

We are astonished, at the first glance, with the ambiguous language of the Declaration of Rights on religious liberty. This astonishment ceases when we remember, on the one hand, the opinions declared by the Church of France in this respect, and the scandal which the idea of the equality of worships would have produced in its bosom, and, on the other hand, the influence of the school of Rousseau on the greater part of the innovators. The articles proposed, which were articles 16, 17, 18, of the Declaration, were thus worded: "The law not being able to reach secret offences, it belongs to religion and morality to supply the deficiency. It is then essential, for the good order even of society, that both should be respected. The maintenance of religion requires a public worship. Respect for public worship is then indispensable. Every citizen who does not disturb the established worship ought not to be molested."

This wording left a national religion, with most of its inconveniences, to exist, and this religion, in France, was evidently Catholicism. There was no other public worship acknowledged than its own, and the vague assurance that every citizen who would not disturb it, should not be molested, in no wise secured the legal existence of the religious minorities. These articles applied to Catholicism the principles of the Social Contract, and

the general term—religion—only caused the monopoly to be consecrated. Thus, the party of the high clergy were very well satisfied; it was all that they could, for the moment, obtain. They ably availed themselves of the vague style of the Declaration. “Religion is the basis of empires,” said the bishop of Clermont. He quoted the fine saying of Plutarch, “that we might sooner raise a city in the air, than found a republic which should not have for principle the worship of the gods.” A lay deputy, M. de la Borde, very well comprehending what the bishop meant by this admirable maxim, protested with energy against all pretension of commanding religious opinions. “That would be,” he exclaimed, “to carry into the heart of the citizens the most cruel despotism.” He appealed to the sad effects of intolerance in Europe.

“I confess,” said he, “that I am afflicted to see Christians invoke the civil authority for a religion which ought to maintain itself only by the purity of its doctrine. Assuredly, these powers of the earth have nothing in common with religion. Liberty of religion is a good which belongs to all citizens. Let us respect the worship of others in order that they may respect ours. Our worship ought to carry no hindrance to the exercise of religions.”

That was to demand religious liberty with all its consequences. The Assembly was not prepared to take so decisive a step. They would not have struck out, for a fundamental reason, the articles of the Declaration of Rights which restrained the liberty of worships. It was necessary to lead them to it by a formal reason. Mirabeau understood that, and, by an act of skilful tactics, he arrived at his ends, not without having first magnificently proclaimed the right of conscience:—

“I do not come to preach toleration. The most unlimited liberty of religion is, in my eyes, so sacred a right, that the word *toleration*, which tries to express it, appears to me, in some manner, itself tyrannical, since the existence of the authority, which

has the power to tolerate, infringes on liberty of thought by the fact that it does tolerate, and that thus it might have the power not to tolerate."

Passing rapidly from the question of basis, to the question of form, it was easy for him to establish that the proposed articles should lay down duties and not rights. To profess a religion, to celebrate a worship, is to fulfil a duty; that does not spring then from the Declaration of Rights; it is necessary to set aside articles 16 and 17, and to remit the discussion of them to the elaboration of the constitution, contenting themselves with laying down the general right of the free exercise of worship for all citizens.

"I beseech," said Mirabeau, in concluding, "those who anticipate, by their fears, the disorders which will ravage the kingdom, if liberty of worship is introduced, to reflect that toleration, to avail myself of the consecrated word, has not produced among our neighbours, poisoned fruits, and that the Protestants, inevitably condemned in the other world, as every one knows, have tolerably arranged their affairs in this, doubtless by a compensation due to the goodness of the Supreme Being."

These words called forth sharp protestations in the ranks of the right. Let us remark that Camus, who played so considerable a part in the elaboration of the civil constitution of the clergy, was in the number of the opponents. Viscount Mirabeau defended, in the most facetious manner, the faith of his fathers, remarking that, with liberty of worships, each age and each temperament would have its religion; the young people will be Turks, the usurers Jews, and the women of the religion of Brahma. The disputed articles were withdrawn from the Declaration of Rights, after a discourse of Talleyrand's, who skilfully summed up the argumentation of Mirabeau. It was a first success for the partisans of religious liberty. The Assembly had before it only the 18th article, thus couched: "Every citizen who

does not disturb the established worship, ought not to be molested." They could not be satisfied with it. M. de Castellane had proposed the following amendment: "*No man ought to be molested for his religious opinions, nor disturbed in the exercise of his worship.*" Religious liberty could not be better stated. A smart discussion took place, not on the first part of the amendment, which no one would have ventured to dispute, and which, besides, secured no real right, but, on the second part, the maintaining of which was the very consecration of liberty of worships. The author of the motion defended it with perfect clearness. He appealed to natural law, which authorises liberty of opinions, and to the Gospel, which forbids us to do to others that which we should not wish them to do to us. He observed that it is intolerance and not toleration which excites religious wars, and he nobly concluded with these words: "To hinder a man from offering the tribute of his gratitude to the Divinity, is to tyrannise over consciences." Mirabeau supported him by one of his most elevated speeches, which most clearly bear the stamp of a superior reason. To those who pretend that worship is an object of external police, and that it belongs to society to regulate it, he opposed the following dilemma: "Are they Catholics—they confess by that that religion is a purely civil thing; it ceases to be of Divine institution, and they thus break with Catholicism; are they statesmen—I tell them that it is not true that worship is a thing of police, although Nero and Domitian may have said it to forbid that of the Christians." Worship, consisting in an act of adoration, it is absurd to say that the inspector of police has the right of directing the *oremus* (let us pray) and the *litanies*. The police, in order to prevent anyone from disturbing public order and tranquillity, watches in the streets, in the squares, and around the houses, but they do not meddle with regulating what is done inside.

"I find it absurd, then," cries the great orator, in words which we should wish to engrave in every mind, "that, to prevent the disorder which might arise from your actions, it is necessary to forbid your actions; assuredly, that is very expeditious; but it is permitted me to doubt that any one has this right. To watch that no worship, not even your own, disturbs public order—that is your duty; but you ought not to go further. They speak to you incessantly of a dominant religion! Dominant! gentlemen? I do not understand this word, and I have need that it be defined to me. Is it an oppressing worship that is meant? Is it the worship of the prince? But the prince has not the right to dominate over consciences. Is it the worship of the greater number? But worship is an opinion. Now, opinions are not formed by the result of votes. Your thought is your own—it is independent. Nothing ought to dominate over justice; nothing is dominant except individual right."

Would that, some months later, Mirabeau, himself, had remembered these principles, whose realisation we must still await in the bosom of a society which believes in scarcely anything except the right of the State and of majorities in all things. The motion of M. de Castellane raised one of the most violent storms which had broken out in the bosom of the Assembly; the right passionately set themselves to cause the second part of it to be suppressed. M. de Castellane had the weakness, himself, to abandon it. One of the most affecting incidents of this debate was the apparition, at the tribune, of Rabaud-Saint-Etienne. When he pronounced these words—"*I am the representative of a great people,*" we see, rising in his person, that innumerable company of the persecuted; all those glorious outlaws whom the system of religious unity had sown in all the countries of the world; those galley-slaves, more glorious still, who had preserved liberty of souls under a defaming costume; those heroic men and women, sabred by the dragoons of

the great king, or subjected to all punishments; and, in short, this Church of the desert, which had celebrated its worship in frightful solitudes. The presence alone of Rabaud-Saint-Etienne at the tribune of the National Assembly, whilst proving with *éclat* the progress already accomplished, brought to mind, with an eloquence which no speech could equal, what crimes and misfortunes are caused by State religions. It seems that at sight of him they should have felt it their duty to vote with acclamation the article of M. de Castellane. "He who attacks the liberty of others," said Rabaud-Saint-Etienne, "deserves to live in slavery. A worship is a dogma; a dogma holds to opinion, opinion to liberty. Instructed by the long and bloody experience of the past, it is time, at length, to break down the barriers which separate man from man, Frenchman from Frenchman." Rabaud did himself honour by pleading not only for his co-religionists, whose sufferings and ignominies he depicted in a lively manner, but even for the Jews, whom he eloquently named, "that people, always proscribed, wandering, vagabonds over the globe." To those who appealed to the example of the neighbouring people against religious liberty, Rabaud answered thus: "French nation—you are made not in order to follow example but to give it." "My country is free," said he, in concluding, "let it show itself worthy by causing the same rights to be shared by all its children." The National Assembly stopped at a half measure, by voting the following article, on the proposition of the bishop of Lydda: "No one ought to be molested for his opinions, even religious, provided that their manifestation does not disturb the public order established by law." It was sufficiently ambiguous not to offend, and not quite to satisfy any opinion. The majority was very much more quickly formed when the question was of laying hands on the property of the Church, than of consecrating the religious liberty of all citizens.

Mirabeau expressed his displeasure with the resolution of the Constituent in a vehement article in the "*Courrier de Provence*."*

"We cannot," we read in that article, "dissemble our grief that the National Assembly, instead of stifling the germ of intolerance, has placed it, as in reserve, in a declaration of the rights of man. The apostles of religious liberty maintain that it is superior to all laws, and can never receive any limit from the civil power. Restrictive laws, in the matter of religion, are absurd in themselves, for they enjoin men, who have such different measures of intelligence and of reason, to see evidence in the same dogmas and truth in the same doctrines. These laws are immoral, since they change nothing within, and make only vile men who traffic with their creed. These laws are impious; what impiety is there more flagrant than that of interposing between man and the Divinity in order to say to man: "We forbid thee from serving God in this manner;" and in order to say to God: "We forbid you from receiving the homage which is offered to you under a form which is not ours."

Mirabeau next grinds to powder the sophisms constantly opposed to liberty of worships. He chastises, as it deserves, that hypocritical concession of the interior liberty of the conscience, which grants only what no tyranny has been able to invade. "If the religion of your brethren enjoins upon them public worship, by forbidding them to exercise it, you wound their conscience." To those who pretend that religious liberty will favour the preaching of immoral dogmas, he answers that licentious doctrines can be preached only in secret, and that where several religions watch over each other, all are purified. We cannot fear corruption except in the bosom of a dominant religion, which has nothing to dread. In short, if we are threatened with religious indifference,

* "*Courrier de Provence*," No. 31.

under the *régime* of liberty, Mirabeau disperses this chimerical peril. "People are indifferent about the religion which they have received from their nurse and from their masters without examination and without proofs. A belief, based on authority, is only superficial, and has no roots."

We have finished all that concerns the ecclesiastical and religious question in the first period of the Constituent. Surely, the majority of this great assembly was animated with a true love of liberty. It is not possible better to characterise its general spirit, that which, above all, animated obscure members, aloof from all coteries, and strangers to ambition, than has been done in a simple and charming page by a man, to whose testimony we shall often have to appeal in the course of this work—Durand Maillane, the conscientious historian of the ecclesiastical committee of the Constituent. This committee had been named the 20th of August, 1789, in order to occupy itself with the part of the constitution which touched the interests of the Church of France.

"Who does not remember," says the honest writer, "those first sittings at Versailles, when it was necessary to carry the steel to the quick; the good and free provincial deputies, without art as without eloquence, chimed together in all their opinions. They rose and gave each other the hand, without speaking to each other, without knowing one another, all impelled by the same sentiments, which the same tyranny, the same excesses, had excited in all parts of France. We, of Provence, by the side of those from Frenche Comté—who were most of them of high stature—we directed ourselves to the support of good motions, by raising the voice. It was a curious thing, which then excited only laughter or pity. "*See, see,*" said they, "*these big children—what do they want? They know well what they want—these great men—and they will obtain it, or they will perish; they want the most reasonable, the most precious thing in the world—their liberty, the ces-*

sation of abuses, the total regeneration of the French nation. We knew that our cause was that of the people, that its justice was felt by all, that it was singularly supported in the capital. Thus working at our constitution, as the Hebrews wrought at their second temple, the trowel in one hand and the sword in the other, we all marched in tune, carrying away everything under our steps, mowing down all abuses as with a scythe, without being able either to measure or to stop our march. Eternal thanks be rendered for it to the generous people of Paris. Behold us, at length, arrived with their help and by means which allowed neither sparing nor capitulation with any sort of abuse, behold us arrived at our liberty—which they will not make us lose except with life.”*

Would that this love of liberty had been as enlightened as it was ardent and sincere in the majority of the assembly, above all, for the grave questions which were submitted to the ecclesiastical committee! The results obtained were, without doubt, of great importance. The Church was no longer an order in the State, and toleration had been inscribed on the pediment of the constitution of the country; but neither the independence of the religious society, nor liberty of conscience had been truly included and secured. These first errors were to react in the most grievous manner on the deliberations which were to open in the month of November of the year following on the organisation of the Church.

* “ Histoire apologétique du Comité Ecclésiastique de l'Assemblée Nationale,” par Durand Maillane, 1791, pp. 210-212.

Chapter ii.

Discussion on the Property of the Clergy.—Attitude of the different Parties.—Speeches of Mirabeau, of Maury, and of Malouet.—Suppression of the Religious Orders.—The payment of Worship.

THE first reforms effected by the Constituent were not only serious in themselves, but also by what they caused to be foreseen; for it was not possible to be satisfied with them; they called for their complement, so much the more that the legislators of 1789, conformably to the genius of the French race, wished to reconstitute society logically and rapidly by taking their point of departure not in facts but in ideas. The first method, which is the English method, would have required considerations for the past; the second urges to chimerical innovations, because everything seems indefinitely possible at the point of view of abstract principles. The re-organisation of the Church of France was far from being achieved in the month of September, 1789; it seemed scarcely commenced; meanwhile this Church had already lost its most essential privileges, and, first of all, that of depending only on itself to determine its debt towards the country. It had fallen under the *régime* of the common right, and it could no longer put its privileges and property under the shade of the sanctuary by confounding them with the holy things whose examination is forbidden to the profane. The discussion on the tithes was a grave precedent. Its over-hasty renunciation of so great an advantage had given the measure of its fright, but this very renunciation brought the question of the ecclesiastical property before the

National Assembly. There would have been sufficient to call it forth, in the general reforms effected in the constitution of society; the Church was the greatest proprietary of fiefs in the kingdom; it therefore fell under the blow of all the new laws which abrogated the feudal system. It had, at any cost, to harmonise its organisation with the new social state, unless it remained in it as a great wreck, a colossal and incommodious ruin of the ancient *régime*. Let us not forget, either, the increasing necessities of the financial distress—this goad of the urgent needs of a nation which in its march towards its great destinies, met with the most vulgar of obstacles, famine, and which the anxiety about daily bread arrested in its first start. The gulf of bankruptcy was opened, at the voice of Mirabeau, under the appalled look of France; each hour brought it nearer to it, and to fill it up the Revolution had under its hand immense properties whose titles were delivered to discussion. The instinct of preservation as well as the spirit of innovation, drives the Constituent to occupy itself with the property of the Church; but the interest or the peril of the Revolution is so pressing that there is room to fear lest a great measure from which the consecration of religious liberty might go forth, should be taken hastily, and lest, in suppressing the acquired right at the same time as the abuse to be lamented, it should rouse ardent resistances which, in their turn, will transport themselves even to violence and injustice. On one side there will be a wish to seize all, on the other to preserve all; conciliation will become impossible; the true solution will, perhaps, be delayed for a century, and we shall have in the upshot neither the Free Church nor the Free State.

Let us rise above all the prejudices of parties in relating the debates and the resolutions of the Constituent on ecclesiastical property. Let us remember that under the question of property there was enlisted a vital question of liberty.

Let us, first of all, summarily recall the constitution of the eccle-

siastical property in the ancient French monarchy. It is the only means of well understanding the discussion respecting it in the Constituent. The Primitive Church, in the heroic age of persecutions, lived on the offerings of Christians, poorly and gloriously, being content with strict necessities, and seeking abundance only for the holy prodigality of its alms. There was nothing fixed and constrained in the offerings of the faithful; they rose to considerable sums when Christianity was established in the large towns, at Alexandria, at Carthage, and, above all, at Rome. Under Constantine it became an official and authorised religion; the Church obtained not only the right of possessing, but it was also largely enriched by imperial munificence. Inheritances began to flow to it; the sermons of St. Augustin describe with indignation pious inveiglings. It is known of what worth to the Church, about the year 1000, was the universal fear of the near end of the world; it appeared convenient to escape the judgment of God by lavishing on His anointed, property on which they could no longer reckon, and by giving large portions of a land which the fire of the last judgment was about to devour. The development of the monastic life opened for the Church new and inexhaustible sources of riches, so that, despite inevitable vicissitudes, it had ended by being the greatest proprietary in all Catholic States, and specially in France. We have already told to what an enormous sum its revenue amounted, hardly diminished by the gifts which it granted to royalty in order to preserve immunity from taxation. But the more it had become a considerable body in the State, the more it was subordinated to the civil power in the acquisition or the administration of its properties. It was entangled in a close network of ordinances which hindered it from disposing of its property at pleasure, and even constrained it to restore a portion of it to the royal treasury. We are much less astonished at the bold measures of the Constituent in respect to the ecclesiastical pro-

perties, when we see to what degree these last had been placed under the good pleasure of the representative of the State in ancient France.

It is necessary to distinguish between tithes and benefices, and in benefices between secular and regular. They had for a long time debated to know whether tithe was of Divine or of human right; the Constituent had decided the question in a summary manner, but already, under the ancient monarchy, the lawyers pretended that if the right of tithe is inherent in the Church, it was incumbent on the civil power to determine its nature, shares, and arrears;* that was to attribute to it high surveillance over one of the most important properties of the Church. "Tithes," says Fleury, "are established to give temporal subsistence to those from whom we receive spiritual food. They ought, then, to be regularly paid to the pastors.† This rule admitted innumerable exceptions, for the greater part of the large tithes belonged either to the bishops, or to the monasteries, and they were distributed at the pleasure of their proprietors. As for the parish ministers, they had the small tithe, or *la portion congrue*—a miserable pension in money assigned by the bishop to the parish priest for his support. The tenth part of the tithes, called the *décime*, belonged originally to the pope, who had granted it to the king. The *décime* had become a kind of permanent tax since the Assembly of Milan in 1580.

We have no longer to return to the question of tithes decided by a sovereign vote. The benefices remained. Benefice was the name given to an ecclesiastical office, to which was joined a certain

* See the very curious book entitled, "*Traité de l'autorité des rois touchant l'Administration de l'Eglise.*" Par M. L. Voyer de Boutigny, Master of Requests, pp. 388—390. London. 1754.

† "*Institution au droit Ecclésiastique.*" We borrow from this book the greater part of our information on the ancient organisation of the ecclesiastical property.

revenue which could not be separated from it. The secular benefices were the bishoprics, and dignities of chapters; the regular comprised the abbey and monastical offices. The State had believed itself directly interested in the distribution of these immense riches; therefore the ordinances of the kings of France, on presentations, resignations, collations, and the taking possession of benefices, were without number. At first the king himself directly nominated to the most important benefices, such as the bishoprics and the prelacies; for his presentation to the pope was equivalent to a nomination; all prelates owed to him on entering on their charge, the oath of fidelity. As for the other benefices, they were conferred by the bishop or his chapter by election, but most frequently the collation of a benefice could not be given except on the express designation of the patron founder or of the direct heir of the founders. It is known how lavish French royalty had been of its domain towards the Church; all these foundations extended so much the royal prerogative for the distribution of benefices. Besides, the right of *régale* remitted to the prince the nomination to all benefices during the vacancy of the bishoprics and archbishoprics. Under colour of a joyous accession, he conferred the first prebend which fell vacant after the inauguration of his reign in all cathedral churches. The oath of fidelity authorised him to confer in the same way the first prebend in each newly-filled bishopric. By the *indult*, he obtained from the pope the right to designate at his pleasure a counsellor of the parliament, to whom the collator of any benefice whatsoever, remitted his right of election. In fine, thanks to the right of *commendam*, so largely conceded by the pope,—a right which permitted, under certain clauses, to separate the ecclesiastical function from the possession of the benefice and from the enjoyment of the revenues,—thanks to the facility of levying pensions on the property of the Church,—the king found

in these properties one of the most abundant resources of his interested liberalities or of his capricious favours.

But it was especially in the administration of the ecclesiastical property that the power of the State made itself constantly felt. "The Church," says Fleury, "has neither the same liberty as private people of acquiring real estate, nor the same liberty of alienating it."* The alienation of their property was forbidden to the clergy, not only by the canons of the councils, but also by the ordinances of the kings. When the sale of an inheritance had become necessary for one reason or another, the chapter which was possessor of it had, after having obtained the authorisation of the bishop, to demand letters patent, by which the king permitted the alienation. These letters patent were not registered at the parliament until after that, on the conclusions of the Attorney-general, an information *de commodo et incommodo* had taken place. A great number of royal ordinances were designed to see to the preservation of the property of the Church, which was thus considered in a special manner under the surveillance of the State. The civil power, which watched with a jealous care lest the ecclesiastical property should be perverted, because it saw in it a great public and national interest, had taken minute precautions against its indefinite increase. It was already a maxim universally acknowledged in France in the seventeenth century, that no regular community could establish itself nor erect monasteries in the kingdom, without the express permission of the king.† The edict of the month of August, 1749, concerning *the establishment and the acquisitions of the people of mortmain*, went so far as to forbid ecclesiastics and communities from making new acquisitions. In order to obtain an exemption it was necessary to obtain letters patent, which were granted only after payment of the amortize-

* Fleury, "Institution au droit Ecclésiastique," I. p. 345.

† "Autorité des Rois," p. 361.

ment* to the king and indemnity to the lord of the manor. There was paid to the lord of the fief a certain sum for the indemnifying of the fines for alienation (*lots et ventes*), which he would have had the right to expect in the future in keeping his property. The amortizement was paid to the king to indemnify him for the inheritance falling into mortmain. Such was, in its general features, the constitution of the ecclesiastical property under the ancient French monarchy. We shall see, later, that the lawyers had already drawn from the principles of this legislation, sufficiently complicated, the boldest consequences, those even at which the French Revolution arrived only when driven by financial distress. When we shall have recounted the debates and the resolutions of the National Assembly, we shall acknowledge, proofs in hand, that it has only followed the advice of the counsellors of Louis XIV.

A month had passed away since the celebrated night of the 4th of August. The generous resolutions taken in those hours of enthusiasm, and confirmed in the deliberations of the following days, were to open in the future sources of riches and prosperity, by destroying feudality ; but their first effect was to aggravate the financial crisis. Every reform commences by disturbing the social order, and disarranging its equilibrium. The decrees of the Constituent had rather unchained than satisfied the popular passions. War on the country seats (*châteaux*) had broken out in all parts ; money was concealed, and insufficient harvests added to the public distress. The formidable debt bequeathed by the ancient monarchy increased every day. Neckar was at his wits' end. His cry of alarm, in passing from the mouth of

* Amortizement, the act or right of alienating lands or tenements to a corporation, which was considered formerly as transferring them to *dead hands*, as such alienations were mostly made to religious houses for superstitious uses." Blackstone.

Mirabeau, had become a thunder-clap which permitted no longer either delay or half-measures. The plan of a voluntary impost was discussed, a sort of gratuitous gift to which all classes should have contributed. Mirabeau had just descended from the tribune when, in the interval between two of his most magnificent extemporary speeches, an unknown orator arose, and proposed to ask of the Church the sacrifice of its plate, which, according to him, amounted to 140 millions.* Contrary to all expectation, the Archbishop of Paris arises and declares that the clergy are ready to abandon all the plate which is not necessary to the decency of worship. The clergy wished to avoid, at any price, a debate on their properties, and they attempted, by multiplying gratuitous gifts and voluntary renunciations to turn aside the dreaded initiative of the Assembly. The measure was voted on the 29th of September. We do not understand that the clergy, who knew very well what was awaiting them, had not sought at first to elaborate a plan of reform for their financial organisation. Such a plan had become necessary, from the time that they had renounced tithes. It was a great fault on their part not to have shown more boldness in being beforehand with the National Assembly in their legitimate resolutions: a sure means of anticipating and preventing imprudent and excessive measures. On the contrary, the heads of the clergy in the Assembly are occupied only with preserving their privileges. All their votes are subordinated to this desire, which betrayed itself on each occasion. Thus, the first time there was a question of paper money in the National Assembly, the clergy drowned with their murmurs the voice of the orators who wished to deal thoroughly with this grave question, and drew upon themselves this cutting word from Mirabeau:—"Do the clergy fear that the establishment of some

* Sitting of the 25th September, 1789.

paper money will bear on their property?"* But these vain murmurs had less influence on the Assembly than the cry of distress of a great country, which was perishing whilst having under its hand pledges of riches capable of saving it. Unhappily immediate utility prevailed over strict justice, and expediency over long-sighted policy.

In the address, drawn up by Mirabeau in the name of the National Assembly, to implore patriotic gifts, we read these words:—"That treasures accumulated by the piety of our fathers for the service of the altars, will not have changed their religious destination by going forth from obscurity for the service of the country. 'Behold the reserves which I have collected in prosperous times,' says holy religion. 'It was not for myself, it was for you, for the State, that I have raised this honourable tribute on the virtues of your fathers.'" The question was without doubt as yet only about voluntary offerings, but a very grave principle was laid down, which was, that the treasures of the Church would not change destination by passing from its hands to those of the State. It was difficult for the latter to escape the temptation of facilitating this passage. It was the 11th of October when, for the first time, the formal proposition of seizing the goods of the clergy was brought before the National Assembly, and by an irony of destiny, it was introduced by one of themselves, a young bishop, who represented in his person the two privileged classes of the kingdom; it was from the disdainful mouth of Talleyrand-Périgord that fell, to the great scandal of his caste, but amid the applauses of all the representatives of new France, words the most bold in their cold precision that the Assembly had yet heard. Talleyrand was the organ of the committee of twelve members which had been nominated on the

* Sitting of the 3rd of October, 1789.

28th of August to discuss the guarantees of a loan of eighty millions. He commenced his speech by exhibiting the picture of the needs of the State and of the expenses which its political regeneration will impose on it. The resources employed or proposed hitherto are insufficient. "There is one immense resource which may consist with respect for properties: it exists in the wealth of the clergy. A dealing with it is inevitable." Setting out from the fact that the clergy are not proprietors like other proprietors, that the nation enjoys a right extended over them as over all corporations, so that it can destroy the aggregations of this order which might appear useless to society, he concluded, that if the nation guarantees the subsistence of the beneficiaries, and draws from the abundant source of the ecclesiastical properties only to relieve the State, the intention of the founders will be fulfilled, and justice will not be violated. The orator then sketches a vast financial plan which was to result in filling up the deficit. Two days afterwards, Mirabeau, who did not see himself without jealousy outstripped in a reform so radical, laid down the following proposition:—

"In a season of fear and terror," said he, "it is important to show that the nation has never had such splendid, such abundant resources. I ask, then, that two principles should be decreed: 1st. That the ownership of the property of the clergy belongs to the nation, on condition of its providing for the support of the members of this order;—2nd. That the disposal of this property shall be such that no parish priest shall have less than 1,200 livres, with lodgment." It was useful that the question should be thus presented in all its grandeur, and that the principles should be debated for themselves. The discussion lasted to the 2nd of November; it was as complete as possible, and every opinion was freely expressed. It had besides been already taken up by the press. Numerous pamphlets had viewed the question

in all its aspects, without speaking of the famous article of Turgot in the "Encyclopédie" on "Foundations." Sieyès had published some cutting pages under this title : "Summary Observations on the Ecclesiastical Properties." He replied to those who saw in the clergy only a moral body : "Is the nation then anything else ? You will in vain cause it to be declared to the nation that the property called ecclesiastic belongs to the nation. I do not know what that is except to declare a fact which is not true. Then, even if seizing the favourable moment, you caused it to be declared that the property of Languedoc belongs to Guienne, I do not conceive how a single declaration could change the nature of the rights." The ecclesiastical foundations relieved the people of an enormous tax for the support of the altars. "By what strange reversal of ideas," said Sieyès again, "would the ecclesiastics appear to you supportable, if you have them at your charge, and you cannot suffer them because they are at the charge of no one?" The advocate-general Ser̄van, in replying to Sieyès, in a very remarkable pamphlet, went so far as to say that the nation, which has right of life and death over each citizen, has the same right over bodies politic. What kind of property is to be acknowledged to a body which is not even proprietor of its own existence ? The soil of a nation belongs to the people who dwell on it. But a country cannot do without the public service : individuals or bodies charged with this service are then servants of the nation. The wages are rigorous, the mode of payment is not.* Such theories might lead very far, and it would not have been difficult logically to deduce from them a very advanced socialism. The debate on the ecclesiastical property was then already strongly prevailing outside the Assembly when it was brought before it. Let us limit ourselves to mark its principal phases.

* "Histoire de la Révolution Française," by Louis Blanc, pp. 321, 322.

They commenced by philosophical generalities on the right of property; this was, perhaps, the most serious part of the discussion, for subtle analyses in such matters are in great danger of putting everything in question, and there is no primordial right of human society which cannot be dissolved in this crucible. So long as they rested on what may be called the high philosophy of property in general, in the examination of its constituent elements they fought in the clouds, but it is from the bosom of these very clouds that there may issue at any moment the most terrible social question. The party of Babeuf might have amply profited by these debates, if it had already existed. Maury also was right in saying, in a speech otherwise excessive in basis and in form:—"I am going to prove to you that with your principles you are conducting us to the agrarian law; in fact, every time that you ascend to the origin of properties, the nation will ascend with you. It will place itself at the epoch when it issued from the forests of Germany, and will demand a new division."* No orator held on long to these general considerations. The debate quickly turned on the ecclesiastical property itself and on the value of its special titles.

Three groups of opinions were successively formed, and stoutly held the field even to the end. We have at the outset, as always, two extreme opinions, that which does not wish to concede anything unless it be some reforms, the opportunity and extent of which shall be decided by the privileged themselves, and that which acknowledges only the right of the State. The first opinion has for its natural organ the high dignitaries of the clergy, but they were in the error so often renewed since then of identifying the cause of religion with that of their properties, and of making it depend on their real estate. "The sale of our property," exclaimed the bishop of Clermont, "would remedy nothing.

* Sitting of the 13th of October.

Soon there would be no more ministers, no more religion." The bishop of Nîmes, that of Uzès and the archbishop of Aix, maintained the same thesis ; the last with extended developments, presented in a tone of tearful sensibility ; he concluded, nevertheless, on the necessity of great reforms, provided that they were canonically accomplished. This word only caused uneasiness, for we have never seen a serious reform canonically accomplished, and without external pressure. The Abbés and laics sustained the heat of the combat. Maury, with an impertinence which was not sufficiently redeemed by a real talent, the Abbé de Montesquieu, and the Abbé d'Eymar with gravity and logic, Camus, with his judicial precision and Jansenist severity. The partisans of this opinion relied on the fact of the uncontested possession, on the unalterable character of the foundations and the regular accomplishment of the conditions attached to their enjoyment, and in short on this that the ecclesiastical properties having been given without the concurrence of the nation and not to the nation, the State had no right over them. The law, according to the Abbé Montesquieu, did not establish the ecclesiastical body ; it could not unmake it. Could it be that the clergy was for ever bound to certain rights towards the nation, and that the nation was not bound towards them ?

The orators of the right at last appealed to prescription ; they repelled the pay of the State, because it was altogether precarious and humiliating. "The absolute ruin of the secular and regular clergy seems to be decided on in this assembly," said the Abbé Maury, "but if it is the force of reasoning that it is necessary to combat, we cannot despair of our cause. You have put the creditors of the State under the safeguard of the honour of the nation. Religion itself is the safeguard of the empire. The creditors of the State are proprietors ; their property is sacred. I place in your hands this profession of solemn faith. The clergy possess—since they

have acquired, or because they have received. Let it be proved that they have usurped." Then the fiery abbé demanded by what right they examined so closely the most sacred properties whilst they accepted without scruple the shameful gains of stock-jobbing (*agiotage*). According to him the property of the clergy belonged to the nation, as the province of Burgundy belonged to it. "What would you say of a ruined lord of the parish who, after having assembled his creditors, should abandon to them the funds with which he had endowed his canton?" Such language might be clever, but it was only specious, for it took no account of the real difficulties of the question. The question was of establishing that the ecclesiastical property entirely came into the common right, and for that it would have been necessary to go forth from general ideas. The opponents of the high clergy took care to fill up this gap.

We are surprised to meet in their ranks some parish priests, but the low clergy had been sufficiently ill-treated by the great dignitaries of the order not to put forth a great zeal to defend privileges from which they had been carefully excluded. The small stipend had certainly reason for a grudge against the benefice. The Abbé Gouttes said, without evasion, that riches had done much injury to religion, "by extending the contempt due to some individual ecclesiastics to all pastors without distinction."* M. Jullet, parish priest of Chevigné, maintained the same radical opinion, supporting himself on the sovereignty of the nation. The deputies of the left did not content themselves with laying down these bold theses, they maintained them by a terse argumentation, but which had the great inconvenience of considering only the interests of the civil power by entirely subordinating to it that of religion. They insisted strongly at the outset on the fact that the clergy were not the real possessors of their property, since they were only its

* Sitting of the 12th of October.

administrators under certain conditions. Barnave, from the first sitting, declared that the clergy, existing for the nation, the latter could destroy the order at will ; and, with much stronger reason, take possession of their property and administer it according to its good pleasure. Religion was thus reduced to be no more than a public service, an administrative function. There was the capital error of the new men, too faithful inheritors of the most inveterate prejudices of the ancient monarchy. In reality they wished for a paid worship, because they wished a worship subordinated to the civil power.

The discussion made a great step when the lawyer Thouret began to speak ; he raised the gravest objection against the maintenance of the ecclesiastical properties by establishing that they differed completely from ordinary properties. In fact, the property of corporations cannot be assimilated to that of private persons. Individuals, existing before the law, have rights which they hold from nature, imprescriptible rights ; such is the right of property. Every corporation, on the contrary, exists only by the law, and its rights depend on the law ; law can modify them, destroy them ; the constituent power is then master of ruling according to its judgment the conditions of their existence.* The consequence of such a principle was clear of itself. "Ought not the national interest," said the deputy Chasset, in the same sitting, "to prevail over the interest of a corporation?" The young Garat entered into the heart of the question, when he passed in review all the restrictions imposed by the laws on the free use of the ecclesiastical properties, such as the prohibition to augment or alienate them without a special authorisation. He appealed to the constant traditions of the ancient monarchy, which conferred on the prince the right of nominating to the bishoprics and to the

* Sitting of the 23rd of October.

abbeys, of receiving the revenues of vacant benefices, and even of dividing or of uniting the property of the clergy. The nation had always interfered in the foundations, so that when the funds did not suffice to pay the service, it obliged the heirs to add to these funds. From these incontestable principles, Garat drew a conclusion truly enormous : it was that the State was so completely master of religion, that it had the right to abolish the Christian religion, its worship, and its ministers, and to apply its funds to a more moral religion, supposing, by an impossibility, that there should be found one superior to that at present professed. "It is of importance," said he, in concluding, "that the functionaries should be paid only by the nation; if they are proprietaries, they may be independent.* This speech thus combined in a dangerous blending, truth and error; its conclusion shows how much the evil genius of the *Contrat Social* hovered over all this discussion. Chapelier sharpened in some sort the argumentation of Garat, and rendered it more cutting; he insisted on the necessity of the Constituent being consistent with itself. After having destroyed the orders, how leave to the clergy all that which constitutes an order? "Had these clergy been proprietors, would they be so still? Has not this corporation, this order, ceased to exist? I see it no longer, except among the proud ruins of an immense revolution; it has become the patrimony of history. If the clergy preserve their property, the order of the clergy is not destroyed. You necessarily leave to it the facility of assembling; you consecrate its independence." Always is the question of liberty mixed up with the question of property. Pétion produced a great irritation in the Assembly by unsparingly attacking the moral inconveniences of the riches of the clergy. "It is the immense riches of the ecclesiastics," exclaimed he, "which have ruined

* Sitting of the 24th of October.

their morals." Cries of "*order*" are heard. The president, who was Camus, the old advocate of the clergy, declared that he could not call an orator to order for having said that which was printed everywhere.

Between the two extreme opinions, a more moderate opinion made its way. The Abbé Gouttes, and the Abbé Grégoire, appear to have rallied around it, for both thought that there should be left to the clergy a part of their property, and they loved liberty too sincerely to aspire to the rank of functionaries. The most eloquent organ of this opinion was Malouet, whose speech is full of sense. If there had been sought a reasonable conciliation between ancient and new France, they could not have done better than adopt his propositions.* Malouet acknowledged, with the left, that religion, no more than royalty, could be withdrawn from the national sovereignty. There was his error, and that of all the liberal party of his time, who knew not how to distinguish between the inalienable domain of conscience and that which belongs to the State. It was always, as with Rousseau, the collective sovereignty taken for liberty. After this concession, it was of no use to pretend that the property of the Church has not been given to a corporation always revocable, but that it has been subdivided into so many distinct endowments as its ministers had services to fulfil, that the right of the donor has not been contested, and that all these transactions have received the seal of law. These restrictions were carried away by that imprescriptible right of radical reform which Malouet acknowledged to the sovereign people. If he did not conclude, with Thouret and Barnave, on the alienation of the property of the Church, it was because he disputed, to the National Assembly, the right of deciding questions so grave as that, without having a special mandate from the

* Sitting of the 13th of October.

sovereign people. So long as the legislators had not been invested with it they could reform, but not transform, and above all abolish. Let us leave all these strongly debatable political metaphysics, and let us come to the truly practical and wise part of the speech of Malouet. What he wished, above all, to avoid, was the unchaining of the clerical passions, and the distraction which they would produce in the country at the hour when it had need of all its strength to pass this great crisis of renovation. "When I remember," said he, with as much wisdom as eloquence, "the memorable day on which we adjured, in the name of the God of peace, the members of the clergy to unite themselves to us as our brethren, to trust themselves to our fidelity, I shudder with the mournful sentiment which they may experience and transmit to their successors, in seeing themselves despoiled of their property by a decree to which they would not have consented. Let this consideration, gentlemen, in the stormy times in which we are, have with you some weight. It is precisely because we hear it said in a threatening tone : *'It is necessary to take the property of the clergy!'* that we ought to be more circumspect in our decisions. Let us not suffer that men should, some day, impute to terror, to violence, operations which an exact justice may legitimate, if we impress them with its stamp, and which will be more profitable to the State, if we substitute reform for invasion, and the attainments of experience for uncertain operations." Malouet demanded, before all, that they should not lose sight of this, that the principal object of the foundations, after the support of worship, was to secure the subsistence of the poor. "So long as there shall be in France," said he, "men who are hungry and thirsty, the property of the Church is entailed to them by the intention of the testators, before being reversible to the national domain. The poor are our creditors in the moral state as in the social and political. The greatest enemy of liberty and of good morals is poverty. Let us

destroy this scourge which degrades us, and, as a consequence of all our dissertations on the rights of man, let a law of succour for suffering man be one of the religious articles of our constitution. I should wish to bind the cause of the poor to that of the creditors of the State, who will have a mortgage, still more assured, on the general competence of the French people than on the foundation property of the clergy." Malouet well understood that these measures of public charity, which he claimed, should be executed by means of the property of the Church, but he demanded, with great reason, that the sacrifices to be made by this respectable body, should be so compatible with the dignity and rights of the clergy, that its representatives might freely consent to them. With these reserves, he thought it was necessary to carry important reforms into the use made of ecclesiastical property. It was reasonable, according to him, to divide the rich benefices into two, to suppress the abbeys in proportion as they became vacant, to reduce the number of the bishoprics, chapters, monasteries, priories, and all simple benefices; he rejected only the general alienation of the ecclesiastical properties, which seemed to him neither useful nor just. Although he was mistaken in his forecastings on the possibility of making a great operation of public credit on the immense properties of the Church, he was right in rejecting the idea of a pensionary clergy. Malouet wished to remit to an ecclesiastical commission the care of proposing a plan of reform which should reduce, to what was strictly necessary, the benefices of the secular or regular clergy, whilst taking account not only of the maintenance of worship, but also of the subsistence of the poor. All the rest of the property of the Church should be applied to the needs of the State. Whilst awaiting the definitive elaboration of this plan, there should be a suspension of all nomination to benefices and of all admission of novices into the religious orders. We persist in believing that there were in these

propositions the elements of an equitable conciliation. They would have merited an attentive study and a profound discussion, but they were too contrary to the passions which clashed in the Assembly, to have any chance of being taken into serious consideration. It must also be admitted that the priests employed every means to agitate minds, and drove their opponents to extreme measures. They put into circulation a feigned petition from the poor of different parishes to the Assembly, to protest against all sale of the property of the clergy, under the pretext that they would be deprived of their right of alms secured by the foundations.*

In order that victory might be obtained on one side or the other, it was necessary that Achilles should go forth from his tent. It was for Mirabeau to close the discussion by carrying the majority. It is to be regretted that his proposition, supported by two great speeches, was so radical. If he had taken the initiative of conciliation, what evils would he not have spared to his country and to the cause which he served. His vast mind was worthy of seizing the right of the religious conscience not only in its grandeur, which he had already done, but with all its consequences. He will himself furnish to us more than one proof of it, but he was chief of a party, and, consequently, very dependent. At this epoch it was necessary for him to march in the vanguard of the Revolution. Let us acknowledge, moreover, that he preserved in this discussion great moderation of manner. Mirabeau summed up the whole debate with a wondrous clearness. He viewed his subjects from too great a height to be contented with a calculation of interest in such a question. Never, besides, were considerations borrowed from the moral order absent from his speeches. Great eloquence may sometimes desert the cause of justice, but it ought,

* "Histoire de la Révolution Française," by Louis Blanc, II., p. 328.

at least, to evoke the image of it, for, to the honour of human nature, base thoughts will never move a numerous assembly. 'I have the honour of declaring to you,' said he, "that for the remainder of my entire life, I shall always examine if the principle is just or unjust. There is no utility except in what is just. Now nothing is more just than to declare that the property of the Church belongs to the nation." Mirabeau established it by giving a clearness and a new force to the argument drawn from the difference between the rights of the citizen and those of a body which could not exist except by the good pleasure of the State. 'Since the foundations, always multiplied by pride, would absorb, in the long run, all the lands and all the private properties, it is necessary that we should be able in the end to destroy them. If all the men who have lived had had a tomb, it would have been necessary, in order to find lands to cultivate, to overturn these barren monuments, and to move the ashes of the dead to nourish the living.' Mirabeau distinguishes three kinds of foundations, those which have been made by kings, those which are the work of corporations and of political aggregations, and those of simple individuals. Now, that which has been given by the head of the nation, or by any one of the political aggregations which compose it, has been given by the nation itself. There is, then, no difficulty for the first two kinds of foundations. As for the third, that which proceeds from the generosity of private persons, the nation by appropriating them to itself under the condition of fulfilling the charges of them, inflicts no blow on the right of property: for what is a private property? It is a property acquired by virtue of the laws. But no formal law has constituted the clergy a permanent body in the State. The clergy, then, in accepting these foundations, ought to have expected that the nation might one day destroy this common and political existence, without which it can possess nothing. We cannot disown that there is some

subtlety in this argumentation, and that the definition of property on which it reposes is dangerous. If it is the law alone which constitutes it, how can we escape from the conclusion that the law can undo that which it has done? It would be better to abide by it only for the special character of ecclesiastical property. Mirabeau returns, also, with a grievous persistency to the advantage of having a functionary and paid clergy? In identifying religion with the public services, with the magistracy, with the army, he forgets his own principles on the inalienable right of conscience. In his second speech, which carried the vote, he was more precise; he applied himself with reason to defend the right of the State with respect to corporations. Evidently the nation has the right of deciding that the clergy cannot exist as a political aggregation, unless it is pretended that a nation is bound either by the will of some of its members or by its ancient constitution. If the nation has abrogated the political association, the property possessed by it can revert neither to the foundations, because they have been given without reversibility for the public service, for the support of the altars, or the relief of the poor; nor to private churches, because that would be to revive the corporation which it is desired to destroy; nor to the clergy, who possessed only as mandatory of the dissolved political aggregation. It is, then, to the nation that they return by right, since it was for it that the clergy had received these riches. It is evident, that without the liberalities of the faithful, society would have been obliged to give to the clergy fixed revenues. The property of the Church is distinguished from fiefs in this, that the latter have been given not to a body but to individuals, whilst the former is similar, in every point, to the crown domain, which is also the requital of a great public service. Kings are neither the masters nor the detainers of it; it is the Government which administers it to the profit of the State. Mirabeau apologises for all this political metaphysics. Thouret had already wittily said

that it was impossible to do otherwise, when by the subject of discussion they were in full metaphysics; for such bodies as the clergy, which have no real existence, belong of full right to this domain.

The discussion was closed after the speech of Mirabeau, and his motion was voted on the 5th of November, under this amended form: "All the property of the clergy is at the disposal of the nation, on condition of providing in a suitable manner for the expenses of worship, for the support of its ministers, and for the relief of the poor under the surveillance and in conformity with the instructions of the provinces. According to the arrangements to be made for the ministers of religion, there cannot be offered less than 1,200 livres, not including lodgment and garden pertaining to it."

Before decisively assigning the value of this debate and raising anew the grave question so abruptly decided, and which is to-day far from being settled, it is well to remind the detractors of the French Revolution that the National Assembly in this radical measure has only imbibed the principles of the ancient French monarchy. We have the proof of it in a very remarkable book, composed by a master of requests at the express command of Louis XIV., in order to define the extent of the prerogatives of the Crown in ecclesiastical matters. We refer to the "*Traité de l'autorité des Rois, touchant l'Administration de l'Eglise*" ("*Treatise on the authority of Kings touching the Administration of the Church.**") Written in the clear, precise, and beautiful language of the seventeenth century, with that natural logic, with that art of well-connected reasoning which is one of the best qualities of the French mind, this treatise, to which we shall have to return more than once, unites and connects all the maxims of civil and religious despotism which the lawyers had laid down for

* This book was not made public until the following century.

the benefit of the royal power. On the question of the ecclesiastical property, the author, after having examined the ordinances which severely regulated its acquisition or usage, examines how far the rights of royalty extend in what concerns its alienation. He declares, at the outset, that the Church cannot alienate her property except by permission of the prince, *because she is under the protection of kings, as a minor under the guardianship of his tutor*. On the contrary, there are cases in which the king can ordain by his absolute authority the alienation of the property of the Church. There is no difficulty when the question is either of the property of the Church, of which he is the feudal lord, or of that of which he has been the founder. But he has powers extended over other property, at first, as protector of the Church, called to take care of her interests of every nature, and then, as political magistrate, responsible for the prosperity of the State. "It cannot be denied that the property of the Church is bound to contribute to the expense of the State. The ecclesiastical lands belong to the Church, only on condition of satisfying real charges, of which the first is to contribute to the expense of the State." Now, it is to the political magistrate alone that it belongs to fix the civil and political obligations of the Church, because all that is within the province of the political government is in subjection to him. It is for him to judge of the times and of the share of the rents. The sovereign could not, in this matter, depend on a foreign power, such as the Court of Rome, which may ignore, or feign to ignore, the pressing needs of the State." "I say, further," adds the zealous lawyer, "it cannot be doubted that it belongs to the prince to require of full right that which is necessary to the State; otherwise it would be to give to him a mutilated authority, or, rather, it would be to imagine a ridiculous sovereignty, to figure to ourselves a political magistrate powerful enough to judge of his necessities and of his needs, and too

feeble to supply them.”* The counsellor of Louis XIV. acknowledges that, save in the case of pressing necessity, the edicts which extend to the alienation of the lands of the Church may not be passed without the participation of the spiritual power, whilst the prince has the right of fixing the revenues of this property, which appear to him demanded by the needs of the State. But all restrictions fall in case of urgent necessity. “For example, when the question is of repelling an invasion of enemies, it cannot be denied that the king has absolute authority to use the property of the Church as that of others, for the defence of the State.”†

We very well understand how, in setting out from these principles, Machault, in 1749, proposed the alienation of a part of the property of the Church. The Constituent had only drawn the natural consequences of them in their boldest decrees on the property of the Church, for, heir of the political sovereignty which belonged to the prince under the ancient *régime*, it had, according to the maxims of the monarchical jurists, the right and the duty of estimating the needs of the State and of applying to them the property of the Church in case of urgent necessity. Now, what necessity more urgent than the danger of bankruptcy? We are, then, entirely in the tradition of the reign of Louis XIV.; Talleyrand and Mirabeau have in this matter only been animated by its maxims of government. That leaves us only to be concerned about the liberal character of the measures to which they at first constrained the National Assembly. It is possible to-day to estimate them with more impartiality.

Let us, first, acknowledge the special right of the civil power over the property of the Church. It is indisputable that no corporation should be absolutely independent in a well-ordered State;

* “*Autorité des Rois*,” pp. 407—421.

† “*Autorité des Rois*,” p. 422.

as soon as it ceases to be a simple association, as soon as it possesses and becomes a veritable corporation, it is necessary that it should be placed under the control of the civil power, unless we admit several states having equal rights in the same country, which would be equivalent to anarchy. If corporations obtained for their properties the same immunities as individuals, they would very soon be stronger than the State, because their property, not being subject to the fluctuations of inheritances, accumulates in their hands with an incredible rapidity, and might end by absorbing the best part of public riches, whilst rendering them unfruitful. So in all times, in ancient France, religious corporations have been severely subordinated to the civil power. They have lived only by favour of its express authorisation, and on condition of conforming themselves to the legislation of the country for the acquisition or the alienation of their property. It could not be denied that the State has the right, if it judged proper, to withdraw its authorisation, and to dissolve the little societies which were injuring the great, or which would not lend themselves to the reforms judged necessary for the general good of the nation. Let us maintain, nevertheless, that it never has the right of suspending an essential liberty; the general good does not permit to inflict a blow in any way whatsoever on the conscience of the citizens, and to restrain the individual or collective manifestation of their beliefs. Thus, so long as religion does not step out of its province, it should not, in any of its forms, depend on the good pleasure of the State. It belongs to the civil power neither to authorise nor forbid it, for here the civil power clashes with a primordial right of the individual. The representatives of religion, who are loudly indignant at the alienation of the property of the clergy by the Constituent, ought to reserve their indignation for the alienation by the State of a domain far otherwise sacred—that of the religious conscience

shamefully trampled upon by the ancient monarchy. If religion in itself is inviolable, it is so no longer when it has ended in a true political society, a corporation which is owner of a portion of the soil. As such, it falls under the power of the State, as we have shown, and its independence decreases in proportion to its political importance, except the government of society should quickly pass into its hands. That which is political in its constitution naturally subjects it to the fluctuations of opinion on the best organisation of the State. When everything around it is reformed, it should not continue immovable, else one generation, by its pious foundations would have for ever riveted a great nation in the institutions of the past, and, as M. Laboulaye has very well put it, "the land would belong no more to the living, but to the dead."* Not less evident is it that a single generation could not pay for the others, and bear all the weight of the reforms which it had not been able to foresee, and which secular abuses have rendered necessary. Besides, in strict justice, the State is bound to secure a comfortable position to the survivors of an antique order of things which it abolishes; but when it has done that, it has paid its debt to the past, and the nation may freely organise itself on the plan which seems conformable to its interests.

It is, then, a grave mistake to consider the Catholic Church and the State as making, in 1789, a new compact on certain unalterable conditions, so that the salary of the clergy would be an indemnity due to this Church in exchange for the alienation of its property. Nothing of the kind took place at this period. The State used its right to suppress a corporation which had no longer a place in the new society. After this, nothing could prevent it from suppressing the salary of the clergy, if it saw good to com-

* See the observations, full of sense, of the eminent civilian, "Etudes Morales et Politiques." 1862. pp. 122—127.

plete its first reforms. But if its right was entire, it remains to be known if it made a wise use of it, and, above all, if it took the best means of providing for the service of the altar.

In bringing about a great reform, it was to the interest of the Revolution not to exasperate the numerous and influential class on which it bore, in order not to raise a formidable opposition. Those who, at the end of the eighteenth century, imagined that religion was incapable of agitating the country, took the frivolous drawing-room, where they had passed their evening in gay discourse, for the faithful image of the nation. Despite the scandals of the high clergy, and the polite incredulity which had become fashionable, the religious sentiment was still the most considerable power with which the Revolution had to deal, and already it reanimated itself in the very place where it had seemed extinct; it is what always happens in social crises which, by shaking the soil under the feet of man, make him raise his eyes towards heaven. The radical measure which the Assembly had passed, and which was to become still more grave in the execution, was calculated to rouse the clergy and all that numerous party which every day brings to the help of religion, not only its more or less well-founded apologies, but also the great and mournful events of life, everything that bends the human soul and breaks its pride. Be it thought good or bad, it is not the less certain that religion is instinctively sought and invoked by suffering humanity. Now, the National Assembly was not capable any more than any political power, of replacing the ancient forms by a new religious form. There was, then, great imprudence in strongly irritating the representatives of the Church of France, by rejecting every compromise, and, at the first onset, voting the most radical measure. Already at this stage, they should have sought with care, with ardour even, a conciliation which would preserve the public peace. Now, this conciliation had become possible. The clergy, under the pressure of

circumstances and of opinion, in the fear of losing all, would have gone very far in reforms and sacrifices. They had given a striking proof of this by renouncing tithes; there might have been found considerable resources for the needs of the State, without declaring the general alienation of the property of the Church.

There was, besides, another reason for trying a different way, and this last appears to us much more important, because it is not borrowed from simple considerations of prudence, but from those permanent principles which ought to preside over the relations of political and religious society. It is for their mutual interest to be independent of one another; the credit of a subjugated Church will be so soon thoroughly lost as to deprive it of all moral power, and then repression will be required in proportion as religious influence becomes more feeble, or else it will groan under the yoke, and incessantly try to break it, a course which will profoundly disturb the public peace; general liberty will be soon suspended by the coercive measures which the State will take in self-defence. If, on the contrary, religious society is free and independent for all that does not fall under the laws, it preserves its dignity without endangering the tranquillity of the country. So long as it moves at its ease in its own sphere, all chance of conflict and collision with the civil power is avoided. The Constituent might surely have prepared a situation so desirable, but in order to that it would have been necessary to renounce the treating religion as a simple public service, and its ministers as officers of a national administration; in other words, it would have been necessary to be more boldly revolutionary than they have been, and to offer to the Church a greater liberty than she had ever enjoyed, in exchange for the diminution of her riches. That is to say, they ought never to have had recourse to the deplorable system of paid worship. Had they not at their disposal immense wealth, of which they might preserve a part whilst submitting it to

the common law? What prevented them from constituting by this means a Church which should be at once independent and attached to New France? It is impossible to re-organise, when too late, the plan which would have united all these advantages. Surely, there was sufficient intelligence in the assembly, sufficiently precise and detailed knowledge of the situation of the country, to end in a rational combination. They had only to welcome, at the outset, the proposition made at several times by the representatives of the high clergy, to abandon an important portion of their property and to labour for the reform of abuses. It was not necessary to discuss their sincerity, events stronger than men had set aside unreasonable claims. The National Assembly would not have abandoned the right of deciding all in the last resort, but the nomination of the ecclesiastical commission, asked for by Malouet, would have appeased much opposition.

The first resolution, then, to be taken would have been to interdict, until the new order, not only every new foundation, but also every admission of a novice into any convent whatsoever, and every nomination to a benefice. Important resources would have been found in the reforms which gained universal assent, or, at least, to which no one would have ventured to refuse his adhesion. Thus, the union of the houses of the same order, the abolition of all accumulation of benefices, the sale of unoccupied buildings and grounds, not comprehended in the rural property of the Churches, monasteries, both hospitals and benefices,—these are so many measures which would have put considerable riches at the disposal of the nation. Malouet estimated that the reforms, suppressions, and reductions immediately possible, would have permitted an annual sum of thirty millions to be levied, and a successive alienation of four hundred millions of landed property. The archbishop of Aix offered, in the sitting of the 12th April, 1790, progressive sales made by the clergy of France for a sum of

six hundred millions. That should not have been the resting-point, for we maintain still the sovereign right of the Assembly. An essential difference had, in all times, been established between royal foundations and those which came from private individuals. The first, which were in considerable number, had always appeared much more dependent on the State than the other. Their alienation would have roused much fewer scruples. Perhaps it would have been found that the property remitted to the possession of the State, either by this alienation, or by reforms universally agreed to, offered sufficient resources. It would have been just to use at first these funds in order to realise the intentions of the founders of benefices, by maintaining the great charitable institutions which a State could not do without—hospitals, benevolent establishments—then the instruction of the people, which was one of the first debts they were bound to discharge towards them. The sale of the alienated portion of the property of the Church would have amply sufficed for these indispensable creations, and would have facilitated the great financial operations intended to relieve the national credit, which the religious agitations were about so miserably to lower. Out of the landed property remaining to the clergy, there would have first been paid the pensions voted to those who should lose their position by the effected reforms, then there would have been left to the clergy themselves the care of providing for their own maintenance. They would, doubtless, have lost the exemptions which made them a privileged corporation; their property would have been taxed like that of private persons, and the precautions against mortmain would have been preserved.

Ecclesiastical property has been maintained in countries where, it is true, neither liberty nor the progress of wealth have been arrested by it. It is sufficient to name North America, which was very soon to effect the great reform for which the French

Revolution was not yet ripe. Even under the *régime* of our civil code, collective properties may be assured for a great number of years. There would have been much less restraint in such transactions, if French legislation had been conceived with greater breadth on this point, which would have been the first consequence of the existence of non-paid worship in France. With a political liberty solidly guaranteed, the clergy would have been left unfettered to govern themselves, as they do wherever they find a free soil. We firmly believe that it is in this way only that we ought to attempt the very delicate solution of the relations existing between the religious society and the State. It was there that, according to unexceptionable documents, the great statesman who wished the free Church in the free State was seeking it. This thought entered at each instant into the intimate conversations of M. de Cavour, as we may satisfy ourselves by the testimony of his secretary.

It was not for the honour of laying down a principle of political right that the National Assembly had voted on the 2nd of November the general alienation of the property of the clergy; it had the firm intention of finding there an efficacious resource for relieving the finances of the country. Thus, measures are about to succeed each other, in order to place at the disposal of the nation this considerable guarantee destined to relieve its credit. The high clergy, sustained by the right, will make a desperate effort to defend their property, foot by foot, but it is no more than a combat of the rear-guard in a battle already lost. Their passionate resistance will have only too much echo outside, it will be so much the more easy for them to agitate the country the longer they have disputed the ground in the Assembly. The Ecclesiastical Committee, which had been nominated on the 20th of August, saw its powers extended soon after the decree of the 2nd of November, for it had not only to prepare the settling of

the ecclesiastical properties, but also to elaborate the plan at once financial and constitutional, from which was to go forth the re-organisation of the Church of France.* Composed at first of fifteen members among whom figured on the left, Durand Maillane, Lanjuinais, and Treilhard, a clever lawyer of the Parliament of Paris, and on the right, the bishops of Clermont and of Luçon, it was increased by an equal number of members, when the discussions, which broke out in consequence of the vote of the 2nd of November, put an end to the deliberations. Among the new members were distinguishable Dom Gerle, the Carthusian, a revolutionary very capable in an hour of enthusiasm of serving the reaction ; the abbé de Montesquieu, a skilful and moderate defender of the interests of the clergy ; some liberal parish priests, like the abbé d'Espilly and the parish priest of Souppes ; and a liberal deputy, the representative Chasset. The committee, thus reinforced, was divided into three sections ; the first was charged with the reconstitution of the Church of France, and the two others with all questions connected with the ecclesiastical property. A special committee of tithes was formed to enact definitively concerning this ancient revenue of the Church. After the vote which decided their alienation, the members of the right tendered their resignation, but it was not accepted. The Ecclesiastical Committee pursued their labours with the greatest assiduity, and it was on the various reports which emanated from them, that were decreed the gravest measures which overturned the Church. The committee, in its different sections, set itself to prepare the complete execution of the decrees of the Sovereign Assembly ; the task was singularly facilitated by its bold and conscientious labours which exactly reflected the errors and the passions of the moment.

* See on the whole internal history of the Ecclesiastical Committee, the book already cited by Durand Maillane (1791).

Talleyrand, satisfied with having opened the breach, had taken no part in the debate on the less radical proposition of Mirabeau, but he knew very well that his initiative in such a question would never be forgiven him. He demanded, on the 7th of November, that seals should be placed on the safes where were deposited the titles of the ecclesiastical properties, and that an inventory should be made of the chattels. It was a kind of taking possession. The Assembly hesitated some days before so prompt an execution of its decrees on the goods of the clergy. It contented itself at first with placing them under the safeguard of the King, of the tribunals, and of the administration. Treilhard, in the midst of an extraordinary agitation, and despite the clamours of the right and the persistency of Maury, who took the tribune by assault, obtained a vote two days later that the King should be requested to suspend the nomination to benefices with the exception of cures. On the 19th of November he resumed the motion of Talleyrand, excepting only the parish priests from the formality of the sealing. This exception appeared an insult to the high clergy; the bishop of Clermont complained of it with bitterness. Several other orators protested in the name of the dignity of the Church. They quoted, in the way of objection, the depredations already indicated. On the motion of the abbé d'Ablecourt, the Assembly voted a decree which enjoined on all the incumbents of benefices, to make, within two months, on open paper, a detailed declaration before the royal and municipal judges, of the effects movable and immovable, belonging to the benefices. This declaration, after having been affixed to the doors of the parish churches, was to be sent to the Assembly. No one stopped at the singular objection of the abbé de Montesquieu that such a declaration would be difficult to a good number of the commendatory abbés who had never seen their abbeys. France, at the hour of her regeneration, was not occupied in

taking into consideration so shameful an abuse. Some months later, on Friday, the 5th of February, the Assembly required for the ecclesiastical pensions the same declarations as for the benefices properly so called; fraudulent declarations were to entail the loss of all emolument. These measures indicated the firm intention of the nation to use largely the resources which it had opened up to itself. Every time that the financial question came up in the deliberations, the decisive moment was more nearly approached.

On the 4th of December, Talleyrand, on the occasion of a debate on the Discount Bank (*Caisse d'escompte*), plainly proposed to apply to the national debt the sale of the royal domain and of the ecclesiastical properties. He did it without entering into any new development, as if he was claiming the simplest and least disputable measure. That, also, was a kind of taking possession. Treilhard, on the 18th December, supported the proposition of Talleyrand, on the plea that the nation could not too soon withdraw from the clergy the administration of their property, in order to restore them entirely to the holiness of their vocation, and thus bring back the days of the primitive Church. In order to facilitate this return to the heroic age of Christianity, Treilhard formally demands the immediate alienation of four hundred millions of the properties of the clergy, chosen from the list of those which did not produce revenues, as the houses and ecclesiastical establishments of the towns. These four hundred millions were to serve as a security for the paper money, the issue of which would, for the moment, save the Revolution. This proposition was voted on the 20th of December, although the abbé de Montesquieu had combated it with his elegant and moderate language, and the abbé Maury with his undignified impetuosity. In vain did a portion of the right quit the Assembly; in vain did the orators remark that the Decree of the 2nd of November imposed the condition of consulting the provinces. This frail barrier could not arrest the

sovereign Assembly in a day of supreme peril for the country. All demands for adjournment were rejected. On the 16th of March, 1790, the proposition of the Commune of Paris, to purchase alienated property to the amount of two hundred millions, was eagerly welcomed by the Assembly. The Commune thus entered as an intermediary between the nation and the public, and issued on this certain and palpable security, a circulating paper money suitable for facilitating transactions. Two hundred millions more were to be yielded to the municipalities of the departments. The clauses of this great measure were carefully debated, and a commission of twelve members was nominated for this purpose. Thus fell the boundaries which had hitherto withdrawn the domain of the Church from all conversion into personal property (mobilisation). That of the king was equally put at the disposal of the nation. An abyss was, indeed, really opened between ancient and new France. In the gulf were about to disappear the monastic orders whose sentence of death had been long since pronounced. Then would come all the difficulties and perils of the reconstitution of a Church materially pulled down, but which would again find moral power in its days of trial; for deprivation would restore to it dignity, and the exaggerations, often unjust, of its adversaries would, in a certain measure, justify its acts of resistance.

The property of the Church was yet to provoke two great battles in the midst of the Assembly—the first on the occasion of the religious orders; the second on the substitution of State pay for tithes. It had been formally declared that the entire Church of France was a corporation existing by the good pleasure of the civil power. It was easy for private corporations, which had been formed in its bosom, to foresee the fate which awaited them. Thus, one of the first cares of the Ecclesiastical Committee was to propose to the Constituent the abolition of the religious orders which

covered France. The question was complex. Apart from the great financial interests which were bound up with it, it trenched on one side on religious liberty, since the law acknowledged monastic vows, and shielded them with its formidable sanction. The current of public opinion impelled to a great reform. The monastic life, formerly honoured, piously active in clearing the soil for the profit of the poor, and in cultivating the still more naked and arid ground of human intelligence in ages of barbarism, had fallen into a state of decay which its most eloquent apologist acknowledges and stigmatises with a noble frankness.* The orders devoted to contemplation having lost the mystic enthusiasm which alone sustains the soul on these heights, fell into trifling idleness and childish devotion: they fell lower still, into shameful disorders, the scandal of which passed beyond their cloister walls, and made only too much noise in a jesting society. The teaching orders obtained more indulgence, because they rendered more services; it is, nevertheless, certain that they taught the children of the well-to-do classes more Latin than religion. How could it be forgotten that the generation which had for its acknowledged chiefs Voltaire and the Encyclopedists, had gone forth from their colleges? As to the mendicant orders, they inspired the most profound contempt. The convents of women were little better than those of men. The spirit of the age, which was elsewhere breathing revolt against the beliefs of the past, was quenched in these retreats. The fervour and enthusiasm, without which a life so exceptional is impossible, were there replaced by dryness. Doubtless true piety was not totally absent from the cloisters, but it did not reign there. In the day of severe trial it became evident that more than one pure and tender soul was still sheltered there; but these humble virtues were not distinguishable in ordinary times

* See "Les Moines d'Occident," by M. de Montalembert.

on the dull ground of a religion of routine. Good was still done by a lingering impulse, or, rather, by means of charitable institutions largely endowed and skilfully organised ; but nowhere burned one of those glowing hearths of Christian love which reveal the real presence of the God of the Gospel.

Meanwhile, opposition to the monastic life increased every day. Voltaire had devoted to it an ironical and biting chapter in his "Essai sur les Moeurs." He had indignantly pointed out the licence which the superiors of convents took of administering justice with closed doors, and of acting amongst themselves the part of lieutenant in criminal proceedings. He complained bitterly that France had more convents than all Italy. He boldly concluded by demanding the restoration to the State of a part of the citizens of whom the monasteries were depriving it. Diderot had devoted to this subject a romance, animated with his fiery eloquence in its first part, but stained with such infamies in the second, that it decidedly leaves the domain of literature to find its parallel only in the most impure pages of Lucian. "La Religieuse" (The Nun) was not printed till 1795, but all literary people were acquainted with the manuscript; we find the burning trace of it in more than one speech delivered in the National Assembly. The abolition of the Order of Jesuits in France, the numerous suppressions of the religious communities ordained by Joseph II., had opened the way to a more radical reform in Europe.

There was a talk also in the Church of reforming the religious orders, but every one knew that they would talk of it a century before setting to the work. No serious project had been proposed in the Assemblies of the clergy. At Rome nothing was so much dreaded as favouring the spirit of progress, which they likened to the spirit of the devil. The State, more clear-sighted, and, above all, more impatient than the Church in the presence of abuses from which it was the first to suffer, and the disappearing of which

was to fill its exhausted treasury, boldly undertook a reform, in which the free concurrence of religion would have been indispensable. The question was, in fact, of reconciling the incontestable rights of the civil power, with that delicate respect for the religious conscience which is as good in policy as it is healthy in morality. The properties of convents, like those of corporations in general, depended in a particular manner on the civil power; for it is evident that in the absence of a powerful control, the soil might be completely withdrawn from the laws of the country, and entire France might become by degrees an appendage of the States of the Pope, with the fine institutions which there flourished, upon a land devoted to fever and barrenness. But still it was necessary to know how to moderate the exercise of its right, in order not to commit a supreme injustice by pushing it to its last rigour; it was specially necessary, in laying a prudent hand on the properties of monastic corporations, not to touch the free convictions of the soul, the beliefs, the scruples of the religious sentiment, in order not to enslave the one in freeing the other. The National Assembly knew not how to avoid these rocks.

It was on the 19th of December, 1789, that Treilhard, in the name of the Ecclesiastical Committee, gave in his report on the religious orders. The discussion did not commence until the 22nd of February, 1790. The reporter expressed himself in moderate language; he commenced by acknowledging the services rendered by the religious orders in the epochs of faith and fervour; then he proved, without declamation, their profound decay, the disorders which had been introduced into the greater part of them, and the urgent need of a reform called for on all sides. It was at once evident that the principle of liberty of conscience, proclaimed by the Assembly, was opposed to the State maintaining the perpetuity of vows by legal constraint. In acting thus, the civil power exceeded its jurisdiction: it made itself judge of

thoughts and beliefs, and it strikingly denied the spirit of the new institutions. So much was it worth while then to preserve the very Christian king, guardian of the faith in the name of his sword. The Ecclesiastical Committee was then founded to propose that the civil authority should abstain from all interference in order to maintain the external effect of vows, and should leave to each the care of his conscience. It was equally to give proof of sound judgment to leave to the religious, who should have the vocation of the cloister, pious asylums where they might conform themselves to their vows, whilst pensions should be assured to those who should go forth from the convents. Unfitted for ordinary life, they ought not to undergo the consequences of a sudden reform. Camus, Grégoire, and all the Jansenists of the Assembly, pleaded the cause of the learned orders who had slowly amassed the treasures of national culture ; but there was little disposition to be much occupied with the libraries of the Benedictines, when the question was of the very existence of the religious orders. The passionate protestations of the high clergy, declaring by the mouth of the bishop of Clermont that the measure proposed took away from religion a shelter, from the citizens resources, from the Gospel apostles—could not weigh much with men, witnesses of all the scandals of the monastic life in the eighteenth century.

The bishops and their adherents made an attempt, too often renewed since then, which consisted in interrupting an embarrassing debate on a question of money, by a great religious demonstration. The Bishop of Nancy demanded, in the sitting of the 13th of February, that before pursuing the discussion, it should be acknowledged that the Catholic, Apostolic, and Roman religion was the national religion. That was to bring back the most inextricable confusion between the temporal and the spiritual, and thereby to reconstitute the ancient *régime* on its most worm-eaten basis ; this was especially to fence its field with a hedge of holy things.

Charles de Lameth justly stigmatised these tactics: "When it is a question of low temporal interests and of money," said he, "they come to speak to us of the Divinity. If, in order to save a wealth so ridiculous in the eyes of reason, so contrary to the spirit of the Gospel, they cite the uneasiness of the people about our religious sentiments, if they have the absurd and criminal design of arming fanaticism to defend abuses, if ever this intention could be conceived, I denounce it to the country."

The order of the day rejected the motion of the Bishop of Nancy; but the same proposition was to come up again some days later in a still more insidious form, and to raise many other tempests. Pétion, Garat the elder, spoke almost in the tone of Diderot of the disorders of the convents; they wandered from the political question in discussing the monastic institution in itself, and, above all, the passive obedience which it claimed. They forgot that civil society has nothing to do with the diverse forms which the religious sentiment may put on, so long as they are not at variance with morality. It has no other commission than to consecrate the liberty of all citizens by refusing legally to acknowledge perpetual vows. These engagements themselves, apart from all State sanction, could not be interdicted without committing a veritable abuse of power; unhappily the extreme left was only too much disposed to it. An excellent speech of the Abbé de Montesquieu to some degree counterbalanced their influence. We are surprised to find there the clear distinction between the spiritual and the temporal. "The law and the monk," said he, "the monk and the law; behold what we ought to respect. You are men, all that is human pertains to you; you are men, all that is spiritual pertains not to you." The orator concluded from these principles that the State had not the right, authoritatively, to break a contract passed between the monk and the Church, but neither had the Church the right to demand the support of the

State in order to assure perpetual vows. He demanded that the National Assembly should decree that the law no longer acknowledges monastic vows,—that it places no hindrance to the going forth of the religious of both sexes from their convents; but that all who wished to remain in the cloisters should be free to dwell there. The decree of the Assembly was couched in nearly these terms: only Thouret caused to be added to it the suppression of the religious orders, with a prohibition of introducing any new ones into France. This was a direct blow to liberty of conscience, for it was to declare beforehand that the principle of liberty of association should be suspended for every religious order, even though it should submit itself entirely to the laws of the country. This fatal mistake has lasted even up to our days. More than one public man believes himself liberal for having contributed to expel from his country the society of Jesus, or some other religious order. He imagines that for this noble deed all meannesses will be forgiven him both in this world and in the next. When, then, will men believe in liberty for all?

The convents for women had remained intact by the decree of the Assembly. For the moment, then, they had to regulate only the board of the monks who should break their vows. But it was important to decide whether they should put them all on a level, or take into account, in the fixing of the indemnities, their previous circumstances; if, for example, the monks coming out from a rich monastery, into which they had entered only by paying a large sum of money, were to be placed upon the same footing as the monks belonging to mendicant orders. Treilhard, in the sitting of the 17th of February, declared that he could not be of the opinion of several of the members of the Ecclesiastical Committee, who were for admitting no difference in the board; but he supported this opinion weakly, without appearing to hold much to it. It was, nevertheless, the cause of justice; for, to put into

the same rank the rich Benedictine and the mendicant Capuchin, was to give to the decrees of the Assembly an unjust retroaction in extending it, according to the expression of Mirabeau, even to habits contracted under the safeguard of the law; it was, under pretext of equality, to sanction a real inequality. Thus the Assembly, which was that day calm enough to listen to the language of reason, voted the motion of Treilhard. Robespierre had, nevertheless, declared at the tribune, that if a distinction were to exist, it ought to be in favour of the mendicant monks. This saying is profound; it gives the measure of demagogic equality, which is only aristocracy on the reverse side. They assigned a pension of 800 livres to the mendicant monks up to fifty years of age, and 900 to the monks not mendicants; above fifty, the pensions rose on a scale equitably regulated. By the express motion of Barnave, the Protestant, and of Grégoire, the Jansenist, the Jesuits were comprised in the decree of the 19th of February, 1790: "The first act of rising liberty," the deputy of the left had nobly said, "ought to be to repair the injustices of despotism." The same principle was applied in the sitting of the 18th of March, to the pensions of the monks who should remain in the houses retained. Voydel, from the first an implacable adversary of the clergy, wished to fix the pensions so low that it would be for the interest of all the monks to break their vows. This would have been to recruit active citizens by poverty and famine, and hypocritically to consummate an odious attempt against liberty of conscience. The Assembly was not ripe for such violence. In order to avoid profound trouble in inheritances and scandalous quarrels, some wise measures were also decreed to preserve the family contracts passed under the ancient laws of the country at the time of the entrance of the enfranchised monks into the monastic orders.

One of the gravest questions, destined to raise the most violent

storm, still remained to be discussed in the midst of the Assembly; it was to know to whom should pass the administration of the wealth of the Church, which had been placed at the disposal of the nation on the 2nd of November, 1789. Already a portion had been alienated, but the greater part was still disposable. What should be done with it? Should this immense wealth be left provisionally to the clergy? That was not possible after they had been morally deprived of it. Understanding by what a precarious title they would possess their domains, knowing that the alienation pronounced in principle was always on the eve of being realised, protesting, besides, against measures which appeared to them the height of injustice and impiety, they would have been in the most unfavourable condition for properly administering wealth which was about to escape them. It was the present and not the future which troubled the Assembly, and it was much more occupied in finding immediate resources than in securing revenues for calmer periods. Besides, the idea of putting religion under State patronage by paying its ministers, had already prevailed in the discussion of the preceding year. The ecclesiastical state had been unceasingly represented as a public service analogous to the marine and magistracy. This opinion had, unfortunately, the majority in its favour; financial necessities and accepted principles urged to the same conclusion. Although all understood that it was inevitable, the party of the high clergy tried a last effort to prevent this final blow, after which there would remain nothing for them but powerless submission or open war with New France.

On Friday, the 9th of April, these memorable debates opened. Chasset read the report of the Tithe Committee, which, as we have seen, was a department of the Ecclesiastical Committee. In its cool precision, it betokened the decree of death of the whole ancient constitution of the Gallican Church. Chasset limited himself to drawing, with desperate logic, conclusions from the

decree of the 2nd of November: "An immense debt overpowers us," said he; "we have wealth wherewith to pay it; for what do we wait? The decree of the 2nd of November is nothing so long as the clergy are not dispossessed." Such was the urgent question; but as to the principle involved, Chasset boldly said: "Worship is the duty of all; all are supposed to practise it, because the temple of the Lord is open to all. The holy militia are sustained for the benefit of all, just like the army. It is just and constitutional to maintain the expenses of worship for all by means of a general tax." Thus, to pay its debts, despotically to govern religion, and to place the bishops under its control like the admirals and generals, such is the double advantage which the State will find in the *régime* of a paid and official worship. This thought will unceasingly re-appear in the discussion, and will excite an opposition which would have been more worthy if, in defending the independence of the clergy, it had not attacked religious equality and the right of conscience proclaimed by the Revolution. Chasset, conformably to the principles laid down by him, at once proposed that the property of the Church should be henceforth administered by the assemblies of the department and of the district; that the tithes should be abolished from the 1st of January of the following year; and that the maintenance of all the ecclesiastics should be, from that time, paid in money according to the scale voted by the Assembly. Chasset caused it, at the same time, to be known to the Assembly that the first section of the Ecclesiastical Committee had fixed the totality of these livelihoods in the plan of the Constitution which it had worked out for the Church of France, at the sum of 133,884,800 francs. Comparing this sum with that not long ago so vexatiously levied by the tithe on agriculture, he concluded that, thanks to the new *régime*, the country would realise important savings whilst suppressing deplorable abuses. What he had said to the Assembly

of other plans of the Ecclesiastical Committee was not of a nature to calm the discussion, for his communication opened up views of still graver measures which would decidedly deliver the Church to the civil power.

The debate commenced two days later. The most lively emotion reigned in the Assembly. The right shuddered with anger and indignation at each word which brought back the conclusions of the report of Chasset; for, in their opinion, it was the very extinction of religion that was about to be pronounced. Thus, they multiplied passionate observations and indignant appeals to the God of their fathers. To hear the members of the high clergy, one would have said that the funeral pile of martyrdom was erected at the foot of the tribune. The question, however, was only that of burning some rental title-deeds. To raise the arms to heaven and to cry out, "Blasphemy and Persecution!" was altogether beside the mark; for people were led to think, by such exaggerations, that Catholicism in France was not a belief, but an establishment. The noble conduct of a great number of these same priests on the approaching day of peril was happily about to show that it was not so. We can see, from the commencement of the discussion, to what an extent the minds of men were excited. An obscure member of the majority had hardly pronounced some words on the happy effect of a measure which should free the clergy from all the bustle of a great temporal administration, than his voice was drowned by murmurs. An abbé, still more obscure, cried out, "I entreat the ecclesiastics not to answer a word to all that is about to be said. Let us put ourselves into the hands of God, we are His ministers, and let us abandon ourselves to His holy providence." The Abbé Grégoire, in a sensible speech, combated the propositions of the Committee of Tithes, and demanded that the clergy should be endowed with territorial lands, which appeared to him altogether more sure and

honourable; but except some country priests, no one is checked by so moderate an opinion which preserves the right of the State. The strife continues to rage between those who wish the Church to remain a great and rich corporation, and those who would reduce her to nothing more than a simple department of the administration of the country. These last spoke with the haughty and imperious calmness of men sure of conquering; in their eyes, the point was gained since the 2nd of November. The nation declared mistress of the property of the Church, can do with it what she wishes; the principle carried its consequence. They did not fail to oppose to the violent claims of the high clergy the ancient tradition of a Church gloriously poor, which conquered the world without riches and without sword. "The enemies of religion," said Treilhard, "have found their arguments in the contrasts of a poor God who had not where to lay his head, and the ministers of that same God who lived surrounded with all the appliances of wealth and luxury." "When religion," adds Thouret, "sent its ministers into society, did it say to them, 'Go, prosper and accumulate?' No, it said to them, 'Preach my morality and my principles.' When it was necessary to assure their subsistence, it said this single word, '*It is just that the priests should live by the altar.*' And we say, by an exact version of this sentence, 'It is necessary that the public functionary should live by his functions.'" There, indeed, is the inmost thought of the debated scheme, and it is also its severest condemnation; for I do not see the advantages of a functionary clergy passing from the extreme docility which dishonours them to the political intrigues which trouble the State without morally raising it. The civil constitution of the clergy is quite in germ in these words; we shall soon see it develop from them. "We have decreed the sale of 400 millions," said Thouret, again; "either the nation has right to the whole, or it had no right to the part. Well, it is necessary to act. Can there be a

moment more pressing? Was there ever a National Assembly clothed with higher prerogatives?"

The anger of the right rose like a swelling wave after each new speech of its adversaries: they roared rather than discussed. In vain did some of their orators endeavour to establish that the subsidy of the clergy would cost more than the ancient state of things. It was known that if the tithes and the landed property in reality left the Church less rich than the proposed payment, her defenders would not have expressed so vehement an indignation in the present discussion. The Bishop of Nancy by turns invoked the interest of religion, placed thenceforth at the mercy of an unhappy war or of a bad harvest, and that of the poor, deprived of the alms which accrued to them, threatening the public treasury with an increasing deficit in consequence of the imposition of new taxes. He finished his speech by a grand protestation, which was applauded by all the members of his party; standing with uplifted hand as for an heroic oath he cried: "I declare that we cannot participate in, nor adhere, nor consent to the decree which may be enacted on this matter, nor to all that may ensue." The Archbishop of Aix is still more pathetic: "See, then," cried he, "the abyss to which you have conducted us—the abyss where they wish to precipitate us. What has become of the promises which you made us in the name of the God of peace?" After having called to mind the rapid succession of measures attempted on the ecclesiastical property, each new decree annulling the guarantees which accompanied the preceding; after having anew offered a voluntary and considerable sacrifice of a loan of 400 millions, the prelate pronounced these words of an ancient bishop: "You can despoil us of our property, we do not give it you." The Abbé de Montesquieu, generally master of his words, gave proof of a sensitiveness in bad taste, which showed to what an extent he was moved. His speech is without method; now he invokes the abstract right of

property for the sake of again raising the general question already decided in November, and then he seeks to move the Assembly with pity for the fate of the dispossessed ecclesiastics. "What genius of destruction," said he, "has passed over this empire? I believe the sentiments of the Assembly to be pure, sincere; but I believe that it is deceived. See the misfortunes which are spread around; it seems that here is the department of suffering; there are some men who have devoted themselves to the overwhelming of their fellow-citizens with sorrow; as soon as they appear at the tribune, it is said, 'Come a sacrifice! again one more misfortune!'" He finished by invoking "the God and the religion of his fathers."

It was then that an incident took place which assumed the greatest proportions and threw all Paris into the liveliest agitation. Dom Gerle, a Carthusian, gained to the party of the Revolution, whilst remaining attached to his order and his Church, thought to conciliate the two causes which divided his heart as they divided the Assembly, by renewing a motion already previously made by the Bishop of Nancy, and which consisted in asking a formal vote to proclaim that the Catholic religion was the national religion. "In order to close the mouths of those who calumniate the Assembly," said Dom Gerle, "and to tranquillise those who fear that it may admit all religions into France, it is necessary to decree that the Catholic, Apostolic, and Roman religion is, and shall for ever remain, the religion of the nation, and that its worship shall alone be authorised." Such a motion trampled under foot liberty of conscience, caused an incessant threatening of persecution to hover over religious minorities, and permitted the high clergy to re-possession themselves of their privileges on the first opportunity. Voted by the Assembly, it would have put an end, at the outset, to the renovation of France, by riveting it to the most fatal error of the ancient *régime*. If it passed, it mattered little what

measures of reform were voted; the spirit of the past, sanctioned with *éclat*, would have quickly overturned the fragile edifice of a contradictory constitution. We understand the enthusiasm of the right, and their eagerness to sustain a motion so important for them, and so much the more useful that it did not come from their ranks. Maury was heard, on going forth from the sitting, to say in crossing the Tuileries, "We hold them!" A vast plan of counter-revolution was immediately concocted, and preparations were made for getting up a scene calculated powerfully to strike the public attention. The first day there was only a skirmish, but by the vivacity of the words exchanged, it might be perceived that there was going to be a decisive collision between the ancient *régime* and the Revolution.

Scarcely has Dom Gerle made his motion, than it is drowned in acclamations. An objection from Charles de Lameth changes this enthusiasm into fury. The Bishop of Clermont, thinking himself in his pulpit, reminds them that a Christian ought to confess his faith as soon as he is invited to do it, and that a Catholic assembly has not even the right to discuss that which ought to be a spontaneous sentiment. The right, as usual, rose quite agitated, and one of its members, the old Goupil de Préfeln, invoked the names of Clovis, Charlemagne, and Saint Louis. Charles de Lameth asks where is the necessity of making a public profession of faith in religion in the name of an assembly "which has realised the first principle of the Gospel by humbling the proud, and placing under its protection the people and the most feeble. Has it not realised these words of Jesus Christ: 'The first shall be last?'" This sarcasm was not calculated to calm the partisans of the motion of Dom Gerle. The same orator points out its terrible gravity in a moment when fanaticism is awaking on all sides, and awaits only a weapon to strike its adversaries. Would it not be folly to forge this weapon and to sharpen it at the

National Tribune? The right, who know that the motion is lost if it is discussed, wish to take the vote, and wish it the more eagerly that Mirabeau rises to speak. In vain did the majority of the Assembly pronounce in favour of postponing the discussion till the morrow; the party of the clergy do not even answer to a roll-call required by it, and they do not withdraw until long after the officials, with the view of preparing a theatrical demonstration for the following sitting.

The news of the sitting quickly spreads in Paris; the great city is profoundly stirred, agitation is diffused, the biting and cutting pen of Camille Desmoulins denounces the designs of the clergy with that sarcasm which causes at once both laughter and trembling. The journal—"The Paris Chronicle"—profusely circulated in the faubourgs, informs the people, "by three hundred patriotic trumpets of colporteurs," that the deputies of the right are met in the church of the Capuchins to lay their plans for the morrow, so as to obtain by surprise a vote which should re-establish the famous alliance of the altar and the throne. The denounced gathering had in fact taken place; the leaders of the party had decided that if the motion of Dom Gerle was rejected, they would go forth at the same instant from the hall, traverse the Tuileries in a body, to place in the hands of the king a solemn protestation against an impious refusal. In order to give more *éclat* to this protestation, they agreed all to repair to the sitting in black coats, with swords at their sides. But the Court feared such a proceeding, and the keeper of the seals warned the bishops and the nobles that the king would not receive them.* At the same hour, there was not less agitation at the Jacobins, at the Palais Royal, and in the cafés. The district of the Cordeliers had decided on a general enrolment to sustain the National Guard against the reac-

* "Memoires du Marquis de Ferrières," I., p. 420.

tionary plottings; at the club of the Jacobins they had persuaded Dom Gerle to withdraw his motion. Bailly and Lafayette, fearing a bloody collision, doubled all the guards, and assembled considerable forces around the hall where the sittings were held. The crowd occupied all the space left free by the soldiers. Its irritation against the party of the bishops betrayed itself by violent murmurs. The deputies of the right were hooted and hissed on their way to the Assembly.

The stormy atmosphere outside contributed to increase the mental excitement at the decisive moment of the debate. An amendment had been proposed the previous evening to guarantee the security of dissident worships, on condition that they should remain in the shade. It was scarcely spoken of on the second day, because it was understood that so vain a palliative left to the proposition all its gravity, and tended to nothing less than to reconstitute the religion of the State. It is impossible to reproduce this memorable discussion, to repeat this cross-fire of interpellations, these hurried interruptions, these calls to order imposed by the president. More than once considerable sections of the Assembly rose, as one man, with a single cry. Nevertheless, despite this disorder in a discussion which moved the depths of hearts and thoughts, the question did not for an instant cease to be presented with the utmost plainness between the ancient claim which demanded official religious unity, and the new claim which desired liberty of conscience. Words of profound meaning, and which deprecated as well the subjugation of the Church as its exclusive domination, were pronounced at different times. The representative Bouchotte, thus answers an unknown abbé, who demanded, in the name of the clergy of France, that it should be decreed that the public exercise of the Catholic religion should alone continue to be maintained as a constitutional law of the State, that such measures should not be decreed in a political Assembly, as the consequence of such a

decree would be to hinder the reform of all abuses proceeding from the confusion of the temporal and the spiritual. The Baron de Menou said, very sensibly, that if he loved to profess his attachment to the Catholic religion, it did not follow that he should require such a declaration from all the citizens. "My conscience and my opinion," adds he, "belong to myself alone. Why should I make my opinions dominant opinions? There can be no dominant religion; open your annals, you will see of what misfortunes religious wars have been the source. Would you wish that the National Assembly should become the instrument of the misfortunes of the people? Ministers of religion, restored to yourselves, to your functions, seek that a law be cherished, for the glory of which all human laws can do nothing! Do not go to put weapons into the hand of God!" M. de Menou proposed an order of the day, induced by the debate, which, after having been modified a little by M. de la Rochefoucauld, became the principal subject of deliberation. It declared that "the majesty of religion, and the profound respect which is due to it, do not permit it to become the subject of deliberation." Cazalès could not obtain a hearing; and it was with great difficulty that M. de Virieu succeeded in resuming, in his own name, the proposition of Dom Gerle. The right, so eager for the voting the evening before, demand that the debate should recommence, whilst the left are decided to make an end of it. In vain does the Abbé Maury cling to the tribune; he is compelled to quit it by a formal vote, whereupon the big Viscount de Mirabeau takes an oath to die as a martyr on his seat if they do not decree that the Catholic religion is the religion of the nation. The strife is renewed, when the question, to which of the two propositions the priority shall be granted, comes on for discussion. The fiery D'Espréménil boldly says that the respectful tone of the motion of La Rochefoucauld adds hypocrisy to insult; violently repulsed from the tribune, he flings at his adversaries these words, drowned

by murmurs:—"When the Jews crucified Jesus Christ, they said to him, 'We salute thee, king of the Jews.'"* In vain was Mirabeau already in conference with the Court; the genius of the Revolution possessed him too completely for him, on such a question, to keep back the thoughts which were seething in him: it was necessary that the burning lava should burst forth. Already, several times, he had wished to ascend the tribune; he had interposed from his place by cutting words, which had drawn upon him an insulting interpellation from the Count de Clermont Lodève; but he did not deign even to take notice of it, so completely did he belong, at this hour at least, to the cause of liberty. Thus, when M. d'Estournel, deputy of Cambrésis, dared to appeal to the oath which Louis XIV. had made on the 25th January, 1675, to maintain at Cambria the Catholic religion to the exclusion of any other, Mirabeau could no longer contain himself, and opposing historic remembrance to historic remembrance, he launched this vehement apostrophe at the last speaker:—"I shall observe to that one of the orators who has spoken before me, that there is no doubt that, under a reign signalised by the revocation of the Edict of Nantes, and which I shall not qualify, all kinds of intolerances may have been sanctioned; but since historic citations are permitted in this matter, I entreat you not to forget that here, from this tribune where I speak to you—and his gesture completes his thought—may be seen the window whence the hand of a French monarch, armed against his subjects by execrable factionists, who mingled temporal interests with the sacred interests of religion, fired the arquebus which was the signal of Saint Bartholomew. I say no more of it: there is no room to deliberate."

The majority of the Assembly, in demanding the vote, believed that they had put an end to the debate; but the clerical party re-

* Mémoires du Marquis de Ferrierès, I. p. 424.

newed it on the occasion of each amendment. The Abbé Maury presented one which was only the proposition of Dom Gerle, scarcely modified, but he could not, under this pretext, get a hearing for the long speech which oppressed him. The Viscount Mirabeau was not more fortunate. The Marquis de Foucault contends that the armed force which surrounds the Assembly takes away all liberty from discussion; that the province which he has the honour of representing has not sent him to deliberate amid the tumult of arms; and that, supposing the National Guard to have been convoked for the safety of the deputies, previous intimation of it ought to have been given, in order that they might not be terrified. The word was unfortunate in the midst of a French Assembly. So the unlucky orator was forced to declare that as for himself, he was not frightened. "Never," added he, "have fear and fright taken possession of me, and they never shall." Then of what did he complain? His last words were lost in bursts of laughter. General Lafayette won great applause by assuring the Assembly that there was not a National Guard who would not give the last drop of his blood in order to lend a strong hand to the execution of its decrees, and to secure the personal inviolability of its members. The Abbé Maury and the Viscount de Mirabeau were not less hooted, and incurred some danger on going forth from the sitting. The order of the day of La Rochefoucauld had been voted in these terms:—"The National Assembly, considering that it neither has nor can have any power over consciences and religious opinions; that the majesty of religion, and the profound respect which is due to it, do not permit it to become the subject of deliberation; considering, further, that the attachment of the National Assembly to the Catholic, Apostolic, and Roman worship should not be put in doubt at the very moment when this worship is about to be placed by it in the first class of the public expenses, and when, by a unanimous movement, it has proved its respect in the only

way which could be suitable to the character of the National Assembly, has decreed, and does decree, that it neither can nor ought to deliberate on the motion proposed, and that it is about to resume the order of the day concerning the ecclesiastical property."

The evening was still very agitated: the Tuileries were closed, and the sentinels doubled; the democratic press continued to breathe hostility against the clergy. "Our enemies," we read in the "*Annales Patriotiques*,"* "have spoken of separation and of protestation. Yesterday morning they tried everything to prevent the decree which is about to declare the nation the owner of the property of the clergy. Has not God said to us, '*Leave all and follow me?*' But the artifice of the aristocratic priests is known; they wish, if religion is declared national, to conclude therefrom that the clergy cannot be deprived of their territorial property, and, if the motion is rejected, to cry out impiety, sacrilege, and to cause the defenders of the people to be stoned to death by fanatics." There was again, after the sitting, a gathering of the members of the right at the Capuchins. They decided that they would not protest, but that they would make a declaration. On the morrow, the 14th of April, the rough draft of a declaration was read, which denounced to all France that the National Assembly had formally refused to decree that the Catholic religion was the religion of the nation. "We believe, in consequence," said the draft, "that it is our duty to make known to the French the dangers which threaten the religion of their fathers, which, if it had been declared national and dominant, would not, from its tolerant character, have troubled the religious opinions of any individual." The Abbé Maury wished for a more energetic language. They had not time to decide anything, and on the morrow, Sunday, the meeting of the right had to

* Numéro 196.

separate before the clamours of a riotously-assembled population, who, under pretext of serving liberty, violated one of its most sacred rights. But, if the declaration was not formally drawn up by this section of the Assembly, each of its members charged himself with the care of protesting on his own account, and of spreading irritation in the country. We shall soon see its dangerous effects. At Paris, the war of the pen is carried on with great vivacity. The Abbé Maury was bantered in numerous pamphlets of an insulting tone; the most biting was that entitled, "Testament of the Abbe Maury." "The Acts of the Apostles" jeered the Assembly quite as unsparingly.

After the defeat of the motion of Dom Gerle, the discussion on the propositions of the Committee of Tithes was completely useless, for the Assembly, by its vote, had accepted it in principle. The debate was continued, especially among the Ecclesiastics; some parish priests forcibly declaimed against the abuses born of riches in the Church, and the Abbé d'Eymar had the boldness to answer them that a poor religion, as Christianity at its first appearance, is good for slaves, mutilated by their masters, who have need of being consoled for the pains of life by the prospect of heaven; but that a rich religion can alone obtain consideration in a flourishing kingdom. The offers which the Archbishop of Aix had made in the name of the clergy were uselessly reiterated; the Assembly disdainfully passed on, and equally ignored the new protestation of the Bishop of Clermont, that they no longer took part in the deliberation. The articles presented by Chasset were successively voted, and the principle of the payment of worships by the State was sanctioned.*

* See for this important deliberation of the Constituent "Moniteur," of April, "l'Histoire Parlementaire of Buchez et Roux, V. p. 345—396;" "the Mémoires of the Marquis de Ferrières I.;" "l'Histoire of M. Louis Blanc," contains a very animated account of it.

The result of these memorable debates was essentially contradictory. The Assembly had rightly refused to proclaim a national religion, and it prepared a civil religion. To the fiery partisans of the union of the Throne and Altar, the orators of the majority had replied that religious convictions are not determined by vote; that what touches conscience belongs to the individual; and that no one has the right to render his own opinions dominant. Meanwhile the payment of worships had been voted on this preamble, developed by Chasset, "that worship is the duty of all, that all are supposed to practice it, and that the holy militia is maintained just as the army for the benefit of all." If the Catholic worship is considered by the Legislator as the duty of all, we do not see why he should refuse to proclaim it national worship, nor do we more clearly comprehend on what principle rests this right of individual convictions to which the Baron de Menou had appealed with so much plainness. In putting religion in the same category with the army, the marine, and the magistracy, they fall back into the rut, out of which they wished to get, at the time they were repudiating with *éclat* the principle of a State religion. On the other side, the party of the bishops and nobles were not less illogical in taking their stand on the independence of the Church, in order to spurn the pay of the Government at the very moment they were demanding that the Catholic worship should be formally adopted by the civil power. It was to place themselves on the ground of legal prescriptions, which, favourable one day to their faith, might, on the morrow, turn against them, without their having the right to complain; it was to desert the inviolable asylum of liberty of religion which is the individual conscience; it was to forget that this last should be placed beyond the reach of the civil power as well for privilege as for constraint, for all privilege proceeds from good pleasure, and good pleasure is the negation of right.

But the gravest matter was, that the clerical party demanded a monopoly, and wished to establish their right to the exclusion of the right of the religious minorities. Now, right is indivisible; we obtain it for ourselves only by claiming it for others. Accordingly, an official and paid clergy was an advance on a privileged and dominant clergy. Religious equality triumphed; but we must be on our guard against confounding it with true religious liberty which is inseparable from the independence of the spiritual society. It would be unjust to be as severe on the majority of the Assembly as on the party of the bishops. The difference was great between a grievous inconsistency, and a return, pure and simple, to the ancient *régime*. The adoption of the motion of La Rochefoucauld was an important triumph for the liberal cause. The preamble which declared that the National Assembly could exercise no power over consciences, and that the majesty of religion did not permit it to become the subject of deliberation, was sufficient to condemn beforehand all the abuses of power to which they were too soon to allow themselves to be driven. The separation of the temporal and the spiritual was acknowledged in principle; and Mirabeau admirably summed up in two strokes the doctrine which had prevailed, when he cried out: "This Assembly is national and not theological!" Let us know how to discern progress in the vacillating march of humanity, always divided between its reason and its passions.

We have sufficiently dwelt upon the faults and inconsistencies of our fathers in this phase of the French Revolution, and we shall have more than one occasion to point out the fatal results of their errors; all that they refused to the independence of the religious society has been to the detriment of general liberty. But the abolition of a State religion, properly so called, supported by monopoly and oppression, was a valuable conquest. Worship was no longer forbidden to any Church, as the leaders of the

right had imprudently demanded; religious equality in respect to rights, if not to emoluments, was acknowledged.

The National Assembly could not adopt the motion of Dom Gerle without contradicting themselves, after the measures which they had taken in favour of the Protestants and of a section of the nation less unhappy in the past, but placed under the ban of a more overwhelming contempt. The Jews also participated in the reparative work effected by the Constituent. In the sitting of the 11th of February, 1790, the Assembly took into consideration a motion in favour of the Protestants who demanded a decree "to prevent the despotism of the deceased Louis XIV. from weighing on their posterity," and to order the restitution of the "confiscated property to the Reformers expatriated at the time of the revocation of the Edict of Nantes." A formal decree restored all the rights of French citizens to the descendants of the refugees, on the sole condition of returning to France and taking the civic oath. Already eligibility to all employments had been restored to them. The decree which levelled all the barriers standing in the way of the Protestants, was passed on the 24th of December, 1789, on the occasion of the Declaration of Rights. The article of eligibility is thus expressed: "The National Assembly decrees, 1st, that the non-Catholics, who shall otherwise have fulfilled all the conditions prescribed in preceding decrees relating to election, shall be eligible in all the departments of administration without exception; 2nd, that the non-Catholics are qualified for all civil and military employments as other citizens." The 10th of March following, Rabaut Saint-Etienne, the son of the old Huguenot minister on whose head a price had been so many times fixed in his long apostleship in the desert, wrote to his father: "The president of the National Assembly is at your feet." He had succeeded the Abbé de Montesquieu in the chair of the Constituent.

The decree of the 24th of December contained, in regard to the Jews, a reservation thus couched: "Without meaning to make any innovation in reference to the Jews, concerning whose condition the National Assembly refrains from pronouncing any opinion." How can we be astonished at this postponement, when we remember that a few years ago, free England still refused to the Jews the right of taking a real part in political life, by placing on the threshold of the parliament an oath which no Jew could take? Finally, it was not so much the religious position of the Jews which awakened the scruples of the Assembly as their extreme unpopularity in certain provinces, as Alsace, where they prevailed and oppressed the people by their usuries. There was a momentary coalition for the purpose of opposing their political re-instatement. To the honour of Robespierre, be it told, he refused to countenance such a manoeuvre. "None of the individuals of this class," said he, on the 23rd of December, "can be deprived of the sacred rights which the title of man gives him. This cause is the general cause; it is necessary to decree the principle." The principle had been admirably laid down the evening before by Count de Clermont-Tonnerre. "Leave consciences free; let sentiment and thought, freely directed towards heaven, not be crimes which society punishes with the loss of social rights, or else proclaim a national religion, arm it with the sword, and tear up your Declaration of Rights." The deputies of Alsace in the issue carried with them the Assembly and Mirabeau himself, although he had said that in the new government all men should be men and citizens. They recoiled before the furious hate of the Alsatian peasants. The postponement was pronounced.

The question was soon brought up again, at first by a petition from the Jews of Bordeaux, who demanded that New France should not remain behind the ancient monarchy, which had

granted, by letters patent, to the Jews from Portugal, Spain, and Avignon, settled in the south of France, the rights of active citizens. The Assembly could only confirm a demand so just by its decree of the 28th of January, 1790; it still maintained the postponement for the German Jews. The Jews of Paris presented the same day a petition strongly supported by the representative Godard, lawyer to the parliament. They had the honour of the sitting, and their petition was inserted in the "Moniteur." They showed that France should, from motives of justice and interest, grant without delay to all Jews the rights of citizenship, because they were domiciled in this empire, and served their country by all the means in their power. "There can be," they said, "only two classes of men in a state, citizens and foreigners; to prove that we are not foreigners, is to prove that we are citizens." It was only in its last session but one, on Wednesday, the 28th September, 1791, that the National Assembly yielded to these just demands. The decree was as liberal as possible. It declared that "the National Assembly, considering that the conditions necessary to be a French citizen are fixed by the Constitution, and that every man who, uniting the said conditions, takes the civic oath, and engages to fulfil all the duties which the Constitution imposes, has a right to all the advantages which it secures; revokes all postponements, reserves and exceptions inserted in preceding decrees relative to individual Jews who shall take the civic oath."

The comedians had not to wait as long as the Jews for the acknowledgment of their rights of active citizens. The Assembly resolved the question in their favour in the month of December, 1789, the same day on which it was raised by the Abbé Maury, with a display of austerity strange enough in his mouth. The orator forgot that the least respectable of comedians is he who conceals under a priestly dress all worldly passions.

Let us not depreciate the great work of the Constituent; let us

estimate at its proper worth so precious a conquest as equality before the law assured to all beliefs ; but neither let us forget that equality does not supply the place of real independence. We shall see, only too early, what the measures contrary to religious liberty have cost the Revolution, into what violent and fruitless agitations they have precipitated it, and how they have driven its representatives to fresh acts of violence,—a sad circle in which a fatal error too long enclosed it.

Chapter iii.

The Civil Constitution of the Clergy.—The Assembly transformed into a Council.

THE day on which the National Assembly decreed the payment of worships, from the motive that religion is a great public service, and that its ministers are officers of morality, they thereby bound themselves to organise this like all other branches of the public service; a first fault drew another after it, and a generous Assembly was about to inflict the greatest blow upon that liberty which they were so desirous of establishing. We do not deny that they found themselves in face of numerous and crying abuses; but for the civil power to wish authoritatively to repair religious wrongs, and to set up for a council, when it was simply a political Constituent, was by the deplorable confusion of the temporal and spiritual, to fall again into the mortal error of the Ancient French society, and to sanction the most fatal of its abuses. Born of the coalition of the philosophers and Jansenists, the civil Constitution of the clergy was an intolerant revenge against the intolerance of a Church which had retained force when she had lost respect, maintained the bull *Unigenitus*, and caused the writings of free thinkers to be burnt on the Grève; and this at a time when she had no longer the ardent faith which gives sincerity to fanaticism. No fault was more grave and deplorable in its results. It rendered legitimate, acts of resistance which were only odious when they claimed the privilege of an exclusive State religion, and which covered themselves with the shield of right as soon as they had to

defend the sanctuary; they were from that time established to invoke religious liberty. With the passionate ability of political parties, they opposed all the new institutions, as well the wise and glorious reforms, as the abuses of power. The reaction was organised in the most dangerous manner, from the moment that the Revolution awoke by its measures the drowsy religious conscience, and awoke it to give it battle.

The warmest friends of liberty have acknowledged that the civil Constitution of the clergy was the work rather of a religious sect long oppressed than of a political Assembly. "Finding the opportunity favourable for drawing down vengeance on their oppressors," we read in the "Memoirs of Alexander Lameth," "or, at least, for reducing them to powerlessness, the Jansenists of the Assembly, for the most part members of the *parlements*, conceived the idea of making their doctrines prevail; and the hope of succeeding therein was strengthened in their mind by the thought that they were approaching more nearly to the republican forms of the primitive Church."* The Jansenists exercised the preponderating influence in the Ecclesiastical Committee, and the Bill of the Civil Constitution was presented to the Assembly by Martineau, who was one of the most respected adherents of the sect. This fact alone shows how much the discussion which was about to open surpassed the sphere of a political Assembly. This latter was to transform itself into a theological arena; and the two great parties which had divided the Church of France were going to meet in a doctrinal combat, of which the disciples of Voltaire and Rousseau should be the judges.

Before resuming the debate, opened on the 27th of May, 1790, on the Civil Constitution of the Clergy, let us give a rapid analysis

* "Histoire de l'Assemblée Constituante," by Alex. Lameth, II. p. 364—368.

of the Bill. It was divided into four titles. The first, concerning ecclesiastical offices, substituted for the ancient boundary of the Church of France an entirely new boundary, modelled on the division of the country, into eighty-three departments. All the ancient bishoprics, which were not included in the designations of the Bill, were suppressed. The kingdom reckoned no more than ten metropolitan districts (*arrondissements*). The 5th Article was thus worded: "It is forbidden to every Church or parish of the French empire, and to every French citizen, to acknowledge in any case and under any pretext whatsoever, the authority of bishops or metropolitans whose see shall be established under the rule of a foreign power, or that of its delegates residing in France or elsewhere." The import of such an Article is easily perceived; it was almost the overturning of the Papal authority. The whole numerous and expensive episcopal and archiepiscopal staff was suppressed, as well as the titles and offices not included in the Constitution, such as prebendaries, canonries, abbeys, priories, &c. The cathedral church became a parish church. The seminaries were not to exceed the number of the bishoprics. But the gravest measure of this title was that which radically transformed the episcopal power, by taking from it sovereign authority in the diocese, and by giving to it an habitual and permanent council, composed of the vicars and directors of seminaries, without the help of which it could accomplish no act of jurisdiction in what concerns the government of the diocese and seminary (Art. 15). The parishes were reduced like the bishoprics; the towns or cities not comprising more than six thousand souls were to be content with one, only.

Title II. was the most decidedly innovating, for it substituted election for the canonical forms used in the nomination of titular ecclesiastics, &c. It declared in its 1st Article: "Reckoning from the day of the publication of the present decree, there shall be

known but one way of providing for cures and bishoprics, that is to say, the form of elections by ballot and absolute plurality of votes." No religious condition was imposed on the electors; the vote was to take place after mass on the Sunday morning, but the same ticket was available for political and religious elections: Jews and Protestants could, like Catholics, take part in these elections. The electors of the Departmental Assembly nominated the bishops (Art. 3), and those of the district Administrative Assembly nominated the parish priests, under the sole condition that the elected should have fulfilled the ecclesiastical functions for a time determined by the law. They left to the metropolitan the right of examining the new bishop, as to the bishop that of examining the elected parish priest, but both could object to the election only by assigning the reason of refusal in writing, and after deliberation in the Episcopal Council. The rejected dignitary could always have recourse to *the appeal because of abuses (l'appel comme d'abus)*, (Art. 17, Art. 36). The power of the bishop, already limited on this point, was still more so in what concerned the election of his vicars; these last are really his colleagues, since they have a deliberative voice in his council. He can choose them only in his diocese on certain determined conditions, and he cannot depose them except by the advice of the council, in consequence of a deliberation which shall have taken place by a plurality of voices, with knowledge of cause.

Title III. fixes the pay of the clergy, that is to say, it reduces it considerably. The Bishop of Paris has only 50,000 francs; the pay of the other bishops varies from 20,000 francs to 12,000 francs, according to the importance of their bishopric. The same principle of reduction is applied to the parish priests and to the vicars.

Title IV. imposes the law of residence on all those who are clothed with an ecclesiastical office, and places them under the surveillance and authority of the municipalities.

This first cursory view of the Bill reveals all its gravity. In vain do the fervent apologists of the French Revolution contend that it respected the dignity and independence of the religious society, by contenting itself with purely external reforms which did not touch dogma. To disturb to this degree the organisation of the Catholic Church—to decide the very delicate question of its relations with the Papacy—entirely to transform the episcopate, by making of it a kind of Constitutional sovereignty with responsible ministers—to settle the whole ecclesiastical edifice on popular election, was evidently to do a reforming work which, coming from a political Assembly, was an abuse of power without excuse. It matters little that this or that proposed reform was good in itself, and was rightfully claimed from the most ancient traditions of Christianity. Nothing could redeem the vice of its origin; the Church was, in the issue, placed in absolute dependence on the civil power. Her representatives were right in protesting against such a Bill, and in disputing the territory foot by foot after having combated the principle of it in general discussion; only it was, indeed, late to claim a reforming council. If they had first laboured to remove the scandalous abuses which struck all eyes, they would have been listened to sooner when they declared themselves prepared to remove them. What a misfortune for the Church of France not to have sooner, and for her own sake, participated in the eager demand for reform which agitated the generation of 1789.

The discussion, opened on the 27th of May, was wanting in dignity and *éclat*—the game was lost beforehand. The clergy had exhausted grandiloquent protestations in the discussion raised by the motion of Dom Gerle. However determined they were this time in their resistance, their marchings out with great display from the hall of the Assembly had the effect of previously-arranged clap-trap, and as they finished by re-entering with the deputies of the right who had followed them, this retreat to a sacred mount

whence they so soon descended again in order to dispute a shred of privilege, no longer astonished anyone, and the deliberation continued as if nothing had occurred. The general discussion was not prolonged. What purpose would it have served? The opposition of principles was radical.

The Archbishop of Aix, in an agitated and confused speech, expressed the grief and indignation of his party. He declared, not without dignity, that in the present deliberation, the question was of an order of things which kings and magistrates were bound to obey. "Since the committee recall to us our duty, they will permit us to remind them of our rights. We must bring to their recollection the indispensable authority of the Church. The question is of the truths of religion,—of purely spiritual jurisdiction. The Church alone can take care of the spiritual. We can in no wise renounce the forms prescribed by councils. We propose to you to consult the Gallican Church by a National Council." Such a proposition was unassailable. It was the only liberal one, and it would certainly have passed, if the Assembly, in adopting the principle of the payment of worship, had not already reduced the Church to a mere department of the Administration. Treilhard, in the sitting of the 29th of May, caused the hand of the State to be rudely felt by the defenders of the independence of the Church. In the first part of his speech he establishes the utility, the timeliness of the proposed reforms; he forcibly points out the disorders of the ancient state of things which sanctioned the most scandalous inequality amongst the ministers of the same worship, which put the elections of beneficiary ecclesiastics at the mercy of the intrigues of a corrupt court, too often ruled by the caprices of a favourite, and engendered a thousand grievous disorders to the greatest detriment of Christianity. All these reflections were, in fact, perfectly just. The orator was equally right when he showed that the scheme approached nearer to the primitive Church than

the present organisation of the Church of France; and that the choice of the apostle who replaced Judas had not been otherwise made than by popular election.—Only, to reason in a theological manner at the National Tribune was a great mistake, and what would have been perfectly in place in a Church convocation, was out of place in a political Assembly. Treilhard in vain affirmed that dogma alone is of Divine institution, and eludes the cognizance of the civil power; discipline, which touches the inmost organisation of religious society ought, for the same reason, to be dependent on it. When he cried out at the end of his speech: “Your decrees will inflict no blow on this holy religion,—they will restore it to its primitive purity, and you will be truly Christians of the Gospel”—he contradicted himself; for if these decrees truly restored the Church to its primitive purity, they had a considerable religious import, and the pretence of making, by decree, Christians according to the Gospel, was the heaviest blow to a religion which ceases to be holy from the day in which it is nothing more than a political institution.

No new argument was presented in the general discussion. The parish priest, Leclerc, energetically developed the opinion sustained by the Archbishop of Aix; he showed clearly that the scheme bordered on Presbyterianism, that is to say, on the most radical change in the organisation of the Church, and the Church was not to be consulted! Goulard, parish priest of Roanne, supported him by analogous considerations, and he foreshadowed, in gloomy anticipation, the abasement into which a paid and official clergy would fall. To vote the bill, according to him, was to undertake an actual reformation, and to follow in the wake of Luther. He was not mistaken. The end of his speech is very fine, very elevated. “If you sincerely wish the reform of abuses, authorise the assemblies of the provincial councils. I beseech you, by the faith, *by this great political principle of the division of*

the powers which is repugnant to the confounding of the civil power and the ecclesiastical jurisdiction; I beseech you, in the name of the God of peace, to reject every innovation which would alarm the faithful. The intention of the nation is not to transform you into a council."

The intervention of Robespierre, on the opening of this important debate, has not been sufficiently remarked. He brought to it the thought of Rousseau in all its intolerance. A civil religion was one of his most cherished projects. Jealous of securing to the people an undivided sovereignty which he confounded with liberty, Rousseau had comprehended that the greatest obstacle to this despotism of the multitude would come from those free beliefs of the soul which escape the power of majorities. He had, therefore, taken all his precautions against this invincible rebel, which is called the religious conscience. He had beforehand sacrificed it to his hundred-headed idol, by conferring on the people the right of imposing, under penalty of death, the religion which seemed to them the most useful to the public weal. Robespierre brought these fine maxims to the tribune with the insolent rudeness of the flatterers of the multitude. Setting out from the principle that priests are simple magistrates in the social order, he drew from it three conclusions: First, that it belongs to society, that is to say, to the State, to determine what functions are useful; whence results the right of suppressing all ecclesiastical offices which appear to it superfluous, and particularly those which receive foreign investiture. In the second place, this magistracy, as others, ought to depend absolutely on the people, and to emanate from their electoral urns. In fine, it belongs to the people alone to proportion the pay to the utility of the office. Robespierre goes further, and insinuates that the people have the right to constrain their priests to be married, in order to attach them by real ties to the nation. It was not possible to treat

conscience with greater insolence, or more outrageously to profane the inalienable sanctuary of religious belief. We see what remains to God after the democratic Cæsar has taken all that he imagines to accrue to him. The national divinity is to issue from the ballot-box and to follow all its contingent chances. These maxims sanctioned the most abominable tyrannies.

The battle was fought and lost by the right at three different times for each of the principal titles of the bill. The first title raised two principal questions, that of the ecclesiastical jurisdiction, and that of the extent of the episcopal power. According to canonical right, as interpreted by the Ancient Church of France, religious authority confers not only powers on priests, but determines also, in order to avoid conflicts and disorders, the sphere in which they shall be exercised. The scheme of the Civil Constitution overturned the whole ancient jurisdiction by suppressions and unions. The whole of the theological discussion always ended with the decisive argument of the omnipotence of the State, which the vote of the Assembly hastened to apply. The prohibition to acknowledge the authority of the foreign bishops was softened by the following addition, which was only a vain palliative: "The whole without prejudice to the unity of the faith and of the communion which shall be maintained with the visible head of the Church." It could be no longer a question except of an entirely mystic communion. The second question was more fully discussed; it touched on the extent of the episcopal power. An important section of the Assembly wished to suppress the superior grade of the episcopal hierarchy, and no longer to acknowledge either archbishops or metropolitan bishops. In reality, what they desired was the acknowledgment of the equality of all bishops, not excepting the Bishop of Rome. Treilhard gave distinct utterance to this principle, amid the furious clamours of the right, and, despite the solemn protestations of the bishop of Clermont,

"Saint Peter," said he, "presided at the Council of Jerusalem, but this presidency gave him no jurisdiction over the apostles. I do not know, in the first and second centuries of the Church, any example of a bishop who exercised any jurisdiction over another bishop." Whereupon d'Espréménil cried out, not without reason: "I reply to the question of M. Treilhard, that the Assembly is transformed into a schismatic and Presbyterian Council." On the question of the metropolitans, the Assembly adopted the most moderate measure, and the right of appeal was maintained. They decided, almost without discussion, one of the gravest innovations proposed to them, that which gave to the bishop a council with deliberative voice. The remainder of the chapter had no more importance, and was rapidly voted.

The second chapter had a still more formidable bearing than the first on the Church of France, for it changed its basis by making all the ecclesiastical dignities spring from popular election. Appeal was made to the example of the Primitive Church; but the people who then chose their ministers were not a confused mass, they were an organised religious society, composed of sincere believers. At the time of these memorable debates the question was to deliver the Church, at all hazards, from indiscriminate political balloting; for the amendment presented by Grégoire, to the effect that non-Catholics should not take part in the nomination of parish priests and bishops, was rejected; that of the parish priest, Jaquemard, who demanded that the bishops should be nominated by the ecclesiastical electors, did not obtain a better reception. Robespierre harshly replied that it was not true that the people, as a whole, were too corrupt to make a wise choice, and that the clergy were not purer than the people. Camus was not more happy in proposing that the parish priests should unite with the electors of the departmental assemblies in the election of bishops. Barnave replied that that would be to favour the plottings and

electoral intrigues of the candidates who could act directly in favour of their own election. Article 21, of the same chapter, passed without discussion; it was big with storms, for it imposed on the newly-elected the oath to be faithful to the nation, the law, and the king, and to maintain, with all their power, the Constitution voted by the National Assembly. That was to prepare the most formidable opposition, since the Constitution was no longer simply political; it touched on the organisation of the Church; the necessity of directly concurring in its maintenance could not fail to awaken grave religious scruples. The third chapter, which treated of the pay of the new clergy, provoked an eloquent speech from Cazalès, who endeavoured to prove that religion would henceforth be separated from charity, and that being no longer able to bestow its benefits on poverty, it would fall into discredit. Robespierre replied that the founder of Christianity had instituted a poor clergy; that legislators were not to submit the life of men, the happiness of the people, to the caprice and arbitrary will of a few dignitaries; and that it was much better to succour the destitute by the administration, whilst founding true equality. Chapelier observed that the poor curates with limited incomes had shown a much more active charity than the pompous prelates. There was some cavilling about figures; but the propositions of the Ecclesiastical Committee passed almost entire, although the Abbé Gouttes and the Abbé Grégoire had requested that the parish priests should receive the half of their pay in landed estates. The title on residence passed without difficulty.

The whole of the bill was adopted on the 17th of June. The thought which inspired it clearly sprung from that word of Camus, pronounced on the 1st of June: "The Church is in the State, the State is not in the Church. We are a National Convention; *we have assuredly the power to change religion.*" This was to forget that liberty does not consist in extending the sovereignty of the

State, even when this sovereignty is collective and has constituted itself into a National Convention, but rather in restraining and arresting it before conscience, before thought, before all that depends solely on the individual. The sequel of events was to prove that the most popular State cannot, with impunity, touch the affairs of the soul, and that when it has become entangled in so delicate and perilous a regulation-making, it is sure to provoke the most indomitable resistance.

A measure to complete the Civil Constitution of the clergy remained to be taken. The question was of regulating the pay of the ecclesiastics at present in office. Should the new law have a retrospective action? Should the reductions bear on the large salaries of the dignitaries of the high clergy, who had entered into orders on certain conditions, the abrogation of which they could not have foreseen? Such was the question which presented itself. After a very lively discussion, and despite the ridiculous claims of Rœderer, who demanded a pecuniary compensation for the unfortunates who had accepted an eternal separation from the fair sex, the vote of the Assembly on the 23rd of June, had a retrospective application. It was decided that, dating from January 1st, 1791, the archbishops and bishops whose ecclesiastical revenues did not exceed 12,000 livres, should suffer no reduction, and that those whose revenues exceeded that sum, should have 12,000 livres more than the half of the overplus, unless the whole should exceed 30,000 livres, with the exception of the Archbishop of Paris, whose pay was fixed at 75,000. The use of the ecclesiastical buildings and gardens was left to the ecclesiastical dignitaries. The Civil Constitution of the clergy was thus put into force as soon as decreed.

It is just to acknowledge, on behalf of the Revolution, that this Constitution was only a rigorous application of the maxims of the ancient monarchy. It was simply Gallicanism to the utmost.

We may be convinced of this by reading the famous opinion requested by Louis XIV., on his rights touching the administration of the Church, from Le Vayer de Boutigny, one of his masters of requests.* The learned lawyer distinguishes between the political and mystical body in the Church. In all her external and social life she depends entirely on the prince, for she is in the State and the State is not in her. The mystical body, comprehending doctrine, discipline, sacraments, it would seem, ought to escape from all purely earthly domination. Nothing of the kind; the prince is not only a political magistrate, he is also the protector of the Church, and all that escapes him as magistrate, he seizes again as protector. Not content with protecting the Church against her adversaries by putting his sword at her service, he protects her also against herself, and watches over her with a jealous care. Doubtless, he does not interfere with faith, but as soon as faith is translated into public acts, that is to say, as soon as it manifests itself, it falls under his control. Sometimes it is the guardian of the State who does not permit the Church to inflict a blow on its sovereignty, or on the interests of the country; sometimes it is the protector of religion who does not suffer her to be misled by an ill-advised zeal. "God," naively says the author, "wished that His Church should have the simplicity and, according to the world, the weakness of children. Therefore has he given her kings as tutors to protect and succour her in all things in which she is not capable of defending herself."† The Church can never abandon to the State "anything necessary to salvation," that is to say, all that is of Divine command and of faith. But if the question is of a matter not necessary to salvation, and which tends only to greater perfection, she must yield to the laws and necessities of the State. In fact, all that is not

* See p. 83 of this book.

† Page 174.

necessary to salvation, that is only of a greater perfection, is not of the express command of God, it is only counsel. On the contrary, the laws of the State are by the express command of God, who orders us to obey princes, and they are consequently of obligation for salvation itself.* According to our master of requests, the Church resembles a vessel; the helm is in the hands of the spiritual authority, but the captain, who alone can make the crew work by instilling a salutary fear, is the State. This comparison, worthy of a counsellor of Louis XIV., sufficiently reveals the spirit of the system. It might be foreseen what the captain would do in a day of peril and tempest. The boldest measures of the French Revolution in regard to the Church, were thus justified beforehand from the point of view of the purest monarchical tradition.

But no one made these reflections. Men were ranged in two widely-separated camps; on one side the innovators, who did not go far enough, and on the other, the representatives of the ancient society. These last imagined that the very foundations had been removed, whereas the maxims of their fathers were being turned against them. Thus their exasperation knew no bounds; and in all France resistance, already roused since the vote on the property of the clergy, was being organised, and about to drive the Assembly to new acts of violence and iniquity.

* Page 83.

Chapter iv.

*First resistances of the Clergy.—Troubles at Nîmes and at Montauban.
—The Political Oath imposed on the Clergy.—Pathetic scene in
the Assembly.—Address of Mirabeau to the Nation.—Pamphlet of
Camille Desmoulins.*

THE spirit of liberty, we have acknowledged, had visited more than one presbytery and cloister at the end of the eighteenth century. It had even imposed itself, with all the power of a triumphant opinion, on some high dignitaries of the episcopacy. We still think that it might have been possible, if not entirely to rally the Church of France to the cause of the great reforms, to avoid, at least, wounding her to the heart, and raising in her the most invincible resistance, that which rests on the scruples of conscience. The majority of the Clerical Chamber had rallied to the Third before even the king had spoken. This considerable success rendered advisable a cautious, prudent policy, full of consideration towards allies so useful and whose influence penetrated so far into all classes of society. We have seen that the opposite line of policy was followed by the National Assembly, which suffered itself to be quickly driven to radical measures calculated profoundly to irritate that portion of the clergy whom neither very strong democratic passions, nor Jansenist rancours, too well justified, had placed at the head of the Revolution. The clerical opposition was particularly dangerous, because it was completely organised and armed. It therefore excited the strongest alarm and the most vehement anger; it drove the Assembly obstinately to maintain its faults, to proceed at once

to extremes, and to make laws as people make war—with the sole thought of crushing a powerful adversary. In order to comprehend how the Assembly came to impose the political oath on the ecclesiastics, it is necessary to follow in the provinces the progress of the religious reaction in which the Pope took the initiative.

It was the Revolution which commenced the war. The people of Paris, favourable enough at first to the priests, speedily accustomed themselves to see in their costume a symbol of the ancient *régime*, and after the events of October, they showed themselves much disposed to insult them. Grégoire bitterly complained, in the sitting of the 8th of October, 1789, that, disregarding the patriotism of the parish priests, the people of Paris outraged them, and addressed to them the most frightful threatenings. He demanded that the Assembly should make special proclamations for the safety of the deputies of the clergy, a motion which was rejected, on the observation of Mirabeau, that it was not necessary to put the members of the Assembly under the safeguard of a new decree, after that which had assured their inviolability. On the 15th of October, the Archbishop of Paris, who had already been obliged to defend himself, in a charge, against the accusation "of having maintained, with the king, the interests of the rich and powerful against the poor and feeble," asked for passports, and led the way in emigration. Towards the middle of the same month, a senseless charge of the Bishop of Tréguier envenomed the religious contests. He took openly the side of the ancient *régime*, and attributed to himself the part of Thomas of Canterbury against dangerous novelties. He overcharged the picture of the civil troubles with the most sombre colours, and uttered a cry of alarm which was a true tocsin-ring in Brittany: "Religion is annihilated," said he; "its ministers are reduced to the sad condition of clerks appointed by brigands." Religious liberty was openly stigmatised in this episcopal libel, which ended with an appeal for the

coalition of the nobles and peasants against the Third Estate. This imprudent provocation led, after a smart debate, to a severe order of the day, which sent the bishop before the tribunal appointed for judging crimes of high treason. This unfortunate affair caused extreme irritation, which rendered most difficult, from the first, the conciliation between liberty and religion. The clerical opposition increased with each new measure which inflicted a blow on the ancient ecclesiastical organisation of France.

The decree of the 2nd of November concerning the property of the clergy was scarcely passed, than on all sides the strife commenced. At Toulouse, in Bearn, in Cambrésis, the nobility and clergy assembled the States on the ancient footing as if nothing had passed in France. The Assembly immediately decreed that, up to the time when it should be occupied with the new judiciary power, all the *parlements* of the kingdom should remain in abeyance. There was resistance at Rouen and at Metz; in this last town the high clergy had held factious assemblies, which clearly showed from what quarter resistance proceeded. Already civil war might be foreseen in Provence. The charges of the bishops breathed fire among those Southern races so easily roused. In proportion as they put into execution the decree of the 2nd of November concerning the property of the clergy, the opposition increased, and became ripe for open revolt. The violent demands of the right within the Assembly had their counterpart outside in furious clamours and acts of violence. Thus the resolution which was passed, after the suppression of the monastic orders, to make an inventory of the property of the different religious houses, set all the South in a blaze. We have here the appropriate materials for a grand melo-dramatic scene, calculated to strike the eye, to kindle the imagination, and to inflame the religious passions. The convents, having suddenly become the asylum of all the virtues, and the dwelling of God himself, were surrounded by an excited

crowd, surging with suppressed anger, through which the magistrates were obliged to force their way to accomplish an act which appeared an abominable profanation. The next step of the advancing wave would end in riot. This step was quickly taken in towns where the rivalry of the two worships kept up religious passions; for the fervid Catholics of the South could not forgive Protestantism for existing, and requiring no longer to conceal itself in order to escape proscription. Religious equality was, in their eyes, the grand iniquity of the Revolution.

Civil war broke out openly immediately after the National Assembly had refused to proclaim Catholicism as the religion of the State. The ignorant and bigoted masses of Nîmes, Uzès, and Montauban, showed as much fury against those who had abolished an odious privilege, as the people of Paris had shown against its supporters. On one side as on the other, the first part belongs to violence, and liberty goes forth bruised from the collision of these blind and brutal forces. As soon as the news reached the South, of the rejection of the motion of Dom Gerle, and of the protestations to which the vote of the Assembly had given rise, they prepared themselves, under the instigation of the clergy, to send to Paris urgent demands in favour of religious unity. On Tuesday, the 20th of April, there was a numerous assembly in the church of the White Penitents at Nîmes. They unanimously decided to demand of the King and the National Assembly, that the Catholic, Apostolic, and Roman religion should be declared, by a solemn decree, the religion of the State, and alone enjoy the honours of public worship, without any change in the ecclesiastical hierarchy being tolerated. Such measures were not pacifically taken in a town like Nîmes; this deliberation had been preceded and followed by a great effervescence of the population, who interpreted, in their way, the principle of religious unity, by crying out, whenever the Protestants happened to pass by—*Kill, kill!* Men

with white cockades, armed with guns, kept up in the town an agitation which foreboded the gravest issues. Similar deliberations and manifestations had taken place at Uzès and in Alsace; the Jews in this latter country had been subjected to ill-treatment. The Catholic party had chosen the worst soil for planting their flag; they claimed what was most to be regretted in the ancient organisation of religion in France, that which most deeply wounded the sentiment of justice. This was beginning ill in a strife where the faults of their adversaries were soon to give them so many advantages. They prepared themselves to defend the rights of conscience, whilst demanding that they should be obliterated from the constitution of the country—a singular contradiction, which will astonish only those who do not know inconstant human nature. The Catholic party committed in addition the grave wrong of openly demanding the full re-establishment of the royal authority. This grievous mingling of politics and religion weakened beforehand the force of their resistance to the encroachments of the civil power. The National Assembly prosecuted the fomenters of the troubles at Nîmes, and summoned to its bar the chief persons who signed the petition of the Catholics of that town, despite a speech of Malouet, who endeavoured to invoke in their favour the right of meeting and of discussion. But it would have required very superior sense to give the benefit of the new *régime* to men who had shown themselves its mortal enemies. This lofty justice, which would have been the height of wisdom, could not be expected in an Assembly from which emanated the Civil Constitution of the clergy. What was learned of this scheme, so legitimately rejected by the Catholics, contributed not a little to aggravate the agitation in the South, which assumed, at Nîmes, in the course of the month of June, all the character of a civil war. Religious susceptibilities were not alone in play; they served as a lever, on the part of the

ancient *régime*, to raise the masses. This clearly appears from these words of Froment, the true author of these troubles and the agent of the emigrant princes: "A strong passion can be quelled only by one still stronger, and consequently religious zeal can alone quell republican delirium."* The strife broke out on the occasion of the municipal elections.

The Catholic party of Nîmes, always faithful to the detestable cause of State religion, and not wishing to admit the equality in the eye of the law of all religious opinions, were firmly resolved to prevent the election of the Protestants. They succeeded in composing the municipality of their adherents; this was to assure themselves impunity for their factious plottings. Their fury knew no bounds when they learned, in the month of April, the honour conferred on Rabaud by the National Assembly. A placard was posted which bore these insulting words: "The infamous National Assembly has just put the climax to its crimes by choosing a Protestant for the presidency." The decree, which entrusted to the departmental administrations the management of the property of the clergy, hastened the explosion of fanaticism. A true league was organised; companies of volunteers had hoisted the white cockade, which was soon replaced by red crests. They called themselves companies of the cross, and had formed themselves in opposition to the National Guard, recruited, without distinction, from all ranks of the population; the dragoons of the Civil Guard, distinguished by their patriotism, particularly excited the animosity of the fanatics. All means were employed to inflame passions already sufficiently excited. Banquets and vehement speeches were multiplied, churches were opened for nocturnal meetings, incendiary pamphlets, representing religion as

* Froment. "Précis de mes opérations pour la défense de la royauté et de la religion, pendant le cours de la Révolution, 1815."

proscribed and the King as captive, were profusely distributed. The Protestants were designated in these libels as ungrateful vipers whom numbness alone puts out of condition to injure; warmed by benefits, they revive only to give death.*

Strife broke out on the 13th of June between the red crests and the dragoons; the provocation proceeded from the first. On the morrow, the country people descended on false reports; but the greater part of the peasants returned to their hearths as soon as they comprehended that it was desired to make them defend the counter-revolution. Meanwhile the Protestants of the neighbourhood were alarmed, and arrived during the day. They would probably have retraced the road to their mountains, like the Catholic peasants, if they had not been shot at from the convent of the Capuchins, on the place of the Esplanade. Furious, they threw themselves on the red crests. Froment, posted at the castle, thought good to interrupt conferences for peace by a treasonable fusillade. That was to break up all and to deliver the town to the strongest party, justly indignant, but exasperated by anger. More than three hundred Catholics were put to death, whilst in the country Protestant blood flowed in torrents. Impartial history must acknowledge that the misfortunes which happened at Nîmes were the natural effect of an abominable plot worthy of the time of the Guises. The party who provoked the lamentable events of June, were not defending the liberties of the Church, but what was most odious in its privileges and most insensate in the pretensions of fanaticism.

Analogous facts had occurred the preceding month at Montauban. The officers of the municipality had been able to effect the sale of the suppressed convents only amid the greatest perils, and had been obliged to pass through a crowd rendered

* De Felice, "Histoire des Protestants," p. 56.

furious by the charge of the Bishop. On the threshold, groaning women remained on their knees as if to defend the sanctuary. The Hotel de Ville had been invaded; six dragoons, five of whom were Protestants, had been massacred; others had been dragged to the cathedral, wax-taper in hand, to ask forgiveness. At this news, the National Guard of Bordeaux had, of their own accord, set out in order to avenge the Revolution, but already calm was restored in the streets, if not in the minds of men. All this news, arriving in quick succession at the Assembly, prompted to severe measures, but above all drove it, by exasperating it, to treat the Church as an enemy.*

These street disturbances were infinitely less grave than the resistance which was being organised over the whole surface of the country under the auspices of the high clergy. That an energetic protestation, in favour of the independence of the Church, must arise from the midst of the bishoprics and presbyteries, was inevitable. Unhappily, under this name they understood not merely the maintenance of their rights, but also the sanction of their privileges: passions madly re-actionary compromised a cause which in itself was just. We shall constantly find in the episcopal charges this fatal mingling of a sincere attachment to the liberties of the Church with an absurd hatred of political liberty. The communications from the court of Rome especially present this contradiction.

The resistance was not decidedly organised until after the decree which imposed the political oath on the clergy, but it became more and more pronounced and disciplined during the months which preceded. It is necessary to distinguish during this period

* See on these disturbances the "Moniteur," and vols. V. and VI. of "l'Histoire Parlementaire," by Buchez and Roux; as likewise the 4th vol. of "l'Histoire de la Révolution," by Louis Blanc; the 5th vol. of that of "Michelet," and the 2nd vol. of the "Mémoires de Matthieu Dumas."

between public acts and secret correspondences. What is put in train is of greater import than what is accomplished. Whether it be in acting on the irresolute mind of the King, or in stimulating the courage of the opponents of the clergy, charges and blustering protestations have much less importance than letters sent from Rome. From the month of March of this year, 1790, the Pope takes an openly hostile attitude with respect to the Revolution; not content with blaming the measures which struck at his rights, he involves in the same condemnation all reforms, even the most just.* From the 7th of March, 1790, in a secret consistory, he had held a doleful and bitter language on all that had taken place in France since the opening of the States General. He did not hesitate to say that this ancient monarchy, struck by its own children, was approaching its ruin.† After complaints, based on the encroachments of the political power, the Holy Father did not hesitate to condemn, without evasion, the National Assembly for having decreed liberty of conscience. He was indignant that non-Catholics should have been declared capable of filling every kind of municipal office, civil or military.‡ Political liberty was treated as a vain phantom, and the limitation laid upon royal power was represented as an unworthy violence, which was henceforth to prevent the very Christian king from avenging the rights of the Church. We know what these words signified in the language of the Roman conclave. Thus, we see that they are the most elementary principles of modern society, which the Pope

* See on the relations of the Pope with the French Revolution :— 1st. The “*Brefs et Instructions de N. S. P. Pie VI. depuis, 1790, jusqu’à 1796.*” Two vols. Rome, 1796. 2nd. “*Documents inédits relatifs aux affaires religieuses de la France, 1790 à 1800,*” published by B. P. Theiner, Paris, 1857. Firmin Didot.

† “*Ad perniciem redacta est.*”

‡ “*Habiles facti sunt Acatolici ad omnia gerenda Municipalia, civilia, militaria munera.*” Brefs, p. 4.

expressly curses; what he regrets, is the ancient *régime*, with its most odious abuses. He associates with the cause of despotism that of the liberties of the Church, and clearly shows that the rights of the clergy are alone sacred in his eyes. This deprives of all value his protestations against those decrees of the Assembly which aimed a blow at the religious conscience, for what he would wish to see re-established is a hundred times worse than what he combats. Between the *régime* of the Edict of Nantes and the Civil Constitution of the clergy no comparison is possible. From the first day of conflict the Papacy, forgetting its prudent reserves, takes part against New France, and has for liberty only anathemas. We must not forget, in excuse of the Revolution, this attitude of the chief of Catholicism, who had become the chief of political reaction. Behind the Church the National Assembly saw, without ceasing, the ancient *régime*. That was not sufficient to justify its acts of injustice, for eminent policy consists in not allowing itself to be dragged out of its way by the faults of its adversaries.

We may see, by the intimate correspondence of the Vatican, how much the Holy See had swerved from the policy of neutrality, which alone becomes it in face of the changing fortunes of a country in revolution. The following year, it was for some days believed in Rome that the King had succeeded in escaping: the Pope wrote to him immediately. His letter breathes the most enthusiastic joy, not only that he (the King) has been able to get out of that abominable city of Paris to rejoin the emigrants, but also that he shall very soon be able to re-enter his kingdom as a conqueror, there to re-establish his ancient power, to restore the old laws, and thus break the resistance of his people.* The same wishes

* "Receptate pristinam potestatem tuam, redactas leges, juraque omnia restituta." Theiner, p. 100.

are expressed to the Count de Provence. Doubtless these letters, like the speech of the Pope at the consistory of the 9th of March, 1790, were not intended to be made public; but what is there which is ever entirely secret in the political world? What was thought and said at Rome was well known at Paris. A mortal war had begun, which proved very damaging both to the Church and the State.

In the interval which elapsed between the vote on the Civil Constitution of the clergy and the royal sanction, the letters of the Pope to Louis XVI. and to the clergy of France, are numerous and urgent. The moment of issuing the brief, which shall divide in twain the Gallican Church, has not yet arrived; it is necessary to be first assured of the support of an important portion of the clergy, and to labour at Rome to revive the zeal of its most influential members, whilst seeking to act strongly on the conscience of the King, that he may refuse his sanction to the decree of the Assembly. Not only does the Holy Father address himself directly to him by energetic letters, perfectly calculated to cast trouble into his vacillating and timorous mind,* but he invites the Archbishops of Vienne and Bourdeaux, members of his council, to influence his determination. It is certain that Louis XVI., at this time, strongly desired that the Holy Father should authorise the Civil Constitution of the clergy, to enable him to sanction, without scruple, a decree to which he felt that he could not long oppose his veto, for the pressure of public opinion was becoming irresistible. On the 28th of July, he wrote to the Pope an almost supplicatory letter: "Your Holiness," says he, "knows better than any one of what moment it is to preserve the ties which unite France to the Holy See. You will not question that the most powerful interest of religion, in the present situation of

* Brief of the 10th of July, 1790.

affairs, should be to prevent a fatal division.* The Cardinal de Bernis, the ambassador of France to the Holy See, was charged to present a memorial in support of this request. In this document, written in Italian and accompanied with a confidential note, the Cardinal shows the imminent perils which surround the King of France, placed between a roused people and an Assembly which is no longer its own master, so much does it submit to the influence of agitations from without. He entreats the Holy Father to give at least a provisionary sanction, which would remit the positive decision to calmer times, and would not prolong a situation intolerable and dangerous for the King; for if prudent delays have very often succeeded at the court of Rome, they would now operate only to spread the most terrible exasperation in France, the consequences of which no one can foresee.† The Cardinal de Bernis does not conceal the indignation with which so many wicked attempts against the rights of the Church inspire him, but he is not the less convinced that it is necessary to give them a plausible reason for avoiding greater misfortunes.

The Pope, in his reply, simply announces that a convocation will be summoned to examine the proposals of the Cardinal de Bernis, but already he causes it to be understood that no concession is possible, because the boundaries which separate the temporal and the spiritual power have not been maintained. Scarcely has the King sanctioned the decree, than the Pope sends to him from Rome an energetic protestation, which puts the climax to his grief by making him foresee the brief which will decide the question and constitute the schism in France. The National Assembly had been much irritated by the delays of the Pontifical answer. They knew that a formidable opposition was being

* Theiner, I., p. 264.

† Theiner, I., p. 267.

organised against them, and they were in a manner goaded by it into their frequently imprudent precipitancy.

The correspondence of the Pope with the bishops was not less active. Resistance is recommended to all; to the most impetuous, as to the Bishop of Saint-Pol de Leon, there is added the counsel of prudence, but on condition of not covenanting with the intruders. The Archbishop of Sens, disposed to range himself under the new Constitution, is severely reprimanded; he is reminded that it is necessary to bear every thing rather than to yield. The Bishop of Toulon is approved in his vehement indignation. The Abbé Thoumin-Devonspons, who had just been chosen to the See of Laval, is encouraged to reject a degraded episcopacy; he is urged to make his refusal publicly known.* The direction of the movement of resistance is at Rome, and everything is prepared to make it still more active.

Several public acts, which emanated from the high clergy, operated strongly on public opinion during this period of expectation. The most important was the *Statement of principles on the Constitution of the clergy, by the bishops deputed to the National Assembly*.† We find there all the arguments presented at the tribune of the Assembly, with a great abundance of learned quotations. The tone is dignified and moderate; the incompetence of the political power to re-organise the Church of France is established with force and eloquence. The Archbishop of Arles, who drew up this statement, had the good sense not to insert in it recriminations against the establishment of political liberty, and not to mingle the cause of the ancient *régime* with that of the independence of the Church. Words like these claim only our

* "Briefs of Pius VI.," vol. I.

† "Collection Ecclésiastique," by the Abbé Barruel, p. 151. Paris, 1792.

approval: "If the civil power wishes to make changes in the order of religion, without the concurrence of the Church, it contradicts principles without destroying them. We desire to know the will of the Church in order to re-establish a necessary agreement between the civil and ecclesiastical powers, and to maintain by their union repose of consciences and public tranquillity. It is necessary that the Church be represented as well as the nation. We cannot confound the exercise of the power of the citizens with the expression of the belief of the faithful. We have proposed the calling of a national council. People seem to reason on the discipline of the Church as on the policy of States. It is not accordant with political interests and local differences to be able to change the principles of a religion whose dogmas are the objects of a supernatural faith, and whose morality is universal." The bishops concluded by saying that, desirous of avoiding the schism, they could not transfer it into their principles, and that their duty was to await with confidence the answer of the successor of Saint Peter. This statement of principles, after having been signed by the bishops and the greater number of the parish priests sitting in the Assembly, received the adhesion of 104 French bishops, seven foreign bishops who had boundaries in France, and of a considerable number of parish priests. It gave rise to lively debates in the press.

The bishops would have done well to have kept to this manifesto, written with as much ability as moderation; but each of them followed his impulse, and irritating charges were multiplied. Many amongst them were not content with reproducing the course of argument of the statement in more lively forms; they added thereto violent anathemas against the Revolution, thus forgetting that in going forth from the religious domain, they were losing the right of reproaching the State for making incursion into it. On both sides the line of demarcation between the two powers was

effaced by the passions of the moment. Thus, the Bishop of Toulon, in an admonition to the faithful of his diocese, published the first of July, 1790, after a protestation directed against the Civil Constitution of the clergy, indulged in language altogether factious: "Alas! my brethren," said he, "the unhappy experience that you have of the independence that has been preached to you, of the sovereignty that has been attributed to you, and with which you have been flattered, ought to effect a salutary change upon yourselves, and to prostrate you at the feet of the virtuous and benevolent monarch who governs you, in order to entreat him to resume the authority of which you could never have the right to despoil him. He is good, you know it, and will govern you as a father." A *coup d'état* could not be more unctuously demanded. The Revolution was painted under the liveliest colours as a huge crime for which it was necessary to implore forgiveness. "What is, then," cried the Bishop, "this regeneration which has been solemnly promised you? In place of the happiness which you desire to enjoy, I see everywhere only confusion, disorders, and anarchy."* The Archbishop of Vienne, better inspired in other circumstances, bitterly complained that the sheep of the flock, in place of meekly following their pastors, had set themselves to lead them. A flock, held in subjection by the sceptre of the King and the crook of the priest, is what the nation ought to be in the eyes of this too sincere apologist of the ancient *régime*; but he was wrong in saying it all aloud to emancipated France. He equally protested, in an indirect way, against liberty of conscience and liberty of the press;† these imprudences were soon to be very dearly paid for. The proclamation and putting into execution of the Civil Constitution of the clergy by the departmental administrations, gave rise to protestations more effectual, because they

* See the "Collection," by Barruel, I., p. 529.

† Page 474.

issued in a veritable resistance against the decrees of the Assembly. The Bishop of Senes, whose See had been suppressed, addressed the most lively protestations, on the 8th of November, to the mayors and municipal counsellors who had posted the decree on the great door of the cathedral church. We read there words like these: "If such is the Revolution, so extravagantly extolled, if, like that proud king of whom the prophet Daniel speaks, it tramples under foot the saints of the Most High, and believes that it has power to change times and laws which the Lord has established—you will know, gentlemen, that the oracles have not ceased in Israel, and that a bishop does not turn with every wind of doctrine."

The Bishop of Léon expressed himself in terms not less energetic, in answer to the administrators of his district, who had designated him as the *ancient* bishop of Léon: "In vain will the National Assembly," said he, "pass decrees; in vain will their agents urge their execution; when man commands what God forbids, it is God alone whom we must obey." The Archbishop of Auch replied to the procureur syndic of the department of Gers, who pressed him to conform to the Civil Constitution of the clergy: "I shall repeat, without ceasing, these words of John the Baptist, '*Non licet!*'" A voice more touching and moving made itself heard; it came from beyond the tomb and as it were from the borders of eternity; it was that of the Bishop of Quimper, who, seeing his end approaching, had beforehand protested against the election of a successor submissive to the new decrees. He declared that the ecclesiastic who should submit to them would be only an *intruder*, and that besides the Civil Constitution of the clergy was only a culpable outrage against the eternal truth of Christianity. Resistance, even at the expense of the greatest sacrifices, appeared to him an imperious duty. This posthumous piece was destined, by its very exaggeration, to produce a great effect in a

province already strongly disposed to fanatacism, and where the insinuations of the defunct bishop against *mistaken toleration* in favour of Jews and Protestants were only too much welcomed. The Bishops of Soissons and of Clermont addressed letters as firm but more moderate in expression to the departmental authorities. The first declared that he was ready to subscribe to the decrees if they were approved by the Holy Father. The Bishop of Verdun took on himself the tone of a prophet. "Impiety," cried he, "has at length raised the mask; it marches with unlifted head; it aspires to nothing higher than to be seated on the *débris* of the temples and altars which it shall have overturned. Every thing is consummated." Resistances were as determined at Nantes, at Lyons, and at Tréguier.

Such words did not circulate in a country, already profoundly agitated, without producing new disturbances. Riots broke out at Strasbourg, in the Pas de Calais, and at Uzès, where they spoke of nothing less than of avenging on the Protestants the Catholic blood shed at Nîmes. The resistances of the bishops and chapters were every day renewed. The administration encountered obstinate refusals at Lyons, at Nantes, at Lisieux, at Vannes, as at Clermont and at Quimper. It was in these circumstances that, in the sitting of the 29th of November, Voydel presented to the Assembly a report in which all these facts were embodied, detailed and grouped with art. It closed with these words, which sufficiently indicated that the time for concessions was past: "Ministers of religion! cease to shroud yourselves with pretexts; avow your weakness—you regret your ancient opulence, you regret those prerogatives, those marks of distinction and of pretended pre-eminence. Think that the Revolution has made us men. . . . There is still time; disarm, by a prompt submission, the people irritated by your resistance. The decree which I am about to present is rather a measure of indulgence than a severe law." This measure of

indulgence consisted in subjecting to the oath all titular ecclesiastics ; the question was not only of swearing fidelity to the law and obedience to the civil authorities, it was necessary to undertake the engagement to *maintain in all its power the Constitution decreed by the National Assembly and accepted by the King*, under penalty of deposition from different ecclesiastical offices. "In the case in which bishops and parish priests failed in their oath, they should be not only deprived of their pay or pensions, but also lose the rights of French citizenship. No measure was more impolitic or more strongly calculated to carry religious agitation to its height. The Assembly would have been in the right in demanding from the clergy a general oath to the law and to the King ; this requirement flowed logically from the position which they had taken in granting them salaries ; and the participation of several of their high dignitaries in insurrectionary movements amply justified such a decree, but it was necessary not to exceed that if they wished to reach the factious. To make the oath bear directly on the Civil Constitution of the clergy, that is to say, on a measure which profoundly wounded the conscience of a considerable number of honourable priests, was to transform resistance into a sacred duty ; to provoke a schism which must add to the political divisions the gravest religious dissensions ; to hurl defiance at venerable convictions, and to enter upon a path at the end of which was dictatorship and proscription. The discussion which took place on the proposition of Voydel, clearly showed what perils they were marching to meet ; but they thought no more of them than if they had been in the heat and smoke of battle. Henceforth they had but one desire, that of crushing their enemy, and they cared little for crushing with him the liberty which they had wished to establish ; so much are unchained passions stronger than principles.

The debate was opened by a demand for adjournment presented

in the name of the right. It was concentrated on this point much more than on the Bill itself; for, in obtaining the adjournment, the right reserved the rights of the Papacy whose answer they were awaiting. The left urged to an immediate conclusion, precisely in order not to acknowledge the right of the Church. From the commencement the discussion assumed an extraordinary animation. Cazalès could with difficulty draw up, in the midst of murmurs, the demand for adjournment; the Bishop of Clermont renewed at the tribune one of those sad and solemn protestations, of which he had been accustomed to make himself the organ, amid the acclamations of his party. He had, nevertheless, time to declare that the Church was resigned to the loss of her property, but as to her liberties, she could not bend, but must demand a council. Mirabeau pronounced, in order to answer him, or rather to refute the *Statement of Principles* of the bishops sitting in the Assembly, which had just appeared, one of his most eloquent harangues, but destitute of his great political wisdom, which he too often sacrificed to his passion for popularity. He had preserved silence during the discussion of the Civil Constitution of the clergy; perhaps he had comprehended that it inflicted a blow on that liberty of conscience which he had so admirably defended the year preceding. It was, in reality, in opposition to his principles on the essentially individual character of religion, as we may be convinced by reading the address which he proposed to the Assembly some months later, to calm the minds of men. But Mirabeau, like passionate natures, was capable of great inconsistencies; left to himself and to reflection, he was rarely mistaken on the principles of public right and the conditions of liberty; but, in the heated atmosphere of the Assembly, he obeyed sudden fits of anger, which betrayed him into deplorable errors. The intrigues and murmurs of the right put him beside himself; and when the left and the galleries applauded Barnave, the part of

moderator and defender of law became impossible to him. He flung himself into the *mêlée*, and he struck harder even than those whose violence he ought to have tempered. Thus, in this discussion, he was recalled to moderation by Pétion, and at the first stroke, surpassed in arbitrariness the most exaggerated disciples of Rousseau. The tone of his speech, which is sometimes declamatory to excess, indicates a state of feverish excitement. His exordium is at once skilful and vehement: "Whilst from all parts," says he, "the enemies of public liberty accuse us of having sworn the destruction of religion, I rise at this moment to entreat you, in the name of the country, to sustain with all the might with which the nation has clothed you, this religion threatened by its own ministers, and which never totters except under the blows with which the pride and fanaticism of the priests have too often outraged it." This is the radical idea of his discourse. The enemies of religion, by their intrigues, compromise the cause which they pretend to defend; they would wish to drive the Assembly, by their resistances, to attack the very basis of this Divine religion, "in order that your fall into impiety may impress upon you an odious character, and enlist the piety of the people in the dispersion of the legislators from whom France expected its regeneration. They wish to charge religion with the task of punishing you and avenging them. They know to what dangers they expose it, but they have made the sacrifice. They are resolved to make it run all the hazards of this terrible collision, and to see it crumble on its ancient foundations, provided that in falling, it bury in its ruins your laws and liberty." Mirabeau refuted, first and foremost, the objection that was made to the new episcopal jurisdictions by taking his stand on the independence of the primitive Church. "The priesthood, entirely detached from the social *régime*, and in their state of political nullity, could, from the depths of the caverns where they had constructed their

sanctuaries, quietly regulate those limits and demarcations, which signified no more than the sharing of apostolic cares. Then, these austere and indefatigable workmen knew no other source of their frugal subsistence than the alms of those who employed their ministry."

How was it that this great mind did not perceive, in the midst of the inextricable difficulties in which the Revolution was struggling, that this first condition of Christianity, so well characterised by him, could alone secure liberty and peace, and take away from parties their most formidable weapon? To this end there was no need to return to the catacombs; the absence of a State-appointed and salaried clergy was sufficient. But the hour of calm reflection was past, and Mirabeau was occupied solely with the desire of breaking down resistances which irritated him. In his estimation the Assembly had done enough for religion in granting to it a large subsidy and external homage, as though the highest mark of respect towards it were not liberty. "It is at the moment," says he, with admirable eloquence, "when we confess, in the face of all nations and of all ages, that God is as necessary as liberty to the French people—it is this moment that our bishops have chosen to denounce us as violators of the rights of religion." If it was true that religion was as necessary as liberty to the French people, why did they not leave it free in its own domain, instead of pretending to regulate it? Mirabeau committed the error, on the question of the jurisdictions, of rushing into theological distinctions, in which it was easy for Maury to embarrass him. He entirely recovered himself in the part of his speech in which he treated of the new mode of election for the ecclesiastical offices. He was magnificent and terrible in reminding the Court prelates of the shameful methods by which they had too often obtained their ecclesiastical dignities, and by demanding of them if they had the right to be indignant at a mode of election which would

purify the episcopate and prevent it from being at the mercy of a palace intrigue: "I do not wish," said he, "to recount this public and scandalous iniquity, which drove the healthy and laborious portion of the ecclesiastical order far from the dignities of the sanctuary; which caused to flow into the bosom of idleness and ignorance all the treasures of religion and of the poor; and which crowned with the sacred tiara brows covered with public contempt and branded with the stamp of all the vices." Mirabeau ended his speech by denouncing, with wrathful energy, the intrigues of the clergy, who, instead of seeking to direct the Revolution by wise instructions, openly or secretly attacked it. He concluded by outbidding the proposals of the Ecclesiastical Committee. He demanded that they should sentence to the forfeiture of his office every bishop who had applied to the Holy See for investiture, and every ecclesiastic who should have protested against the Civil Constitution of the clergy; he wished that sermons and charges should be submitted to a severe surveillance; that bishops and parish priests should be able to choose their vicars only out of a number of ecclesiastics determined by popular election; that no priest should be able to exercise the ministry of confession without having taken the civic oath; and that, in order not immediately to increase a clergy already too numerous, all ordinations should be suspended till the new order.

It is sad to see how far the passion of the moment and the thirst for a popularity which was decreasing, could allure this great mind, so capable of comprehending liberty, at least, by the intellect. We have said that he was thought unreasonable, even by the extreme left, and that Pétion combated his proposition, and held to that of the Ecclesiastical Committee. Neither the measured speech of the Abbé de Montesquieu, nor the passion of Maury, could triumph over the impatience of the Assembly, who wished to admit of no delay, because all delay was a homage to

the Papacy, and a renunciation of their own omnipotence. The adjournment demanded had no more implacable enemy than the Jansenist Camus, for, in rejecting it, he gratified his most cherished convictions and his strongest passions. It was for him the best opportunity of treading under foot the pretensions of Ultramontaniam, and of laying low in the dust that Papal power from which his sect had had so much to suffer. Thus his speech resembled a theological discourse full of rough vigour. A great impression was produced when he recalled the words by which Saint Augustin declares himself ready to resign his ecclesiastical offices for the peace of the Church, and when he urged the opposing bishops to follow this great example. The Assembly applauded him with transport, and, despite the feeble effort of Cazalès, the decree on the oath was voted Saturday evening, November 27th—a fatal date in the history of the Revolution, for it consummated the divorce between New France and religion, prepared the greatest storms, and preceded the most violent measures. The statue of Liberty was very decidedly veiled, according to the famous image of Montesquieu, and it was to be learnt, by cruel experiences, that the *régime* of right is not established by arbitrary power.

The decree of the 27th November immediately produced an immense agitation in the country. The revolutionary press suspended it as a sword over the Church of France, and was pleased still more to sharpen its edge. The King, who had, until then, hoped to reconcile his duties as a sovereign with his conscience as a Catholic, saw himself reduced to one of those desperate situations in which either alternative is equally fatal,—in which resistance seems as impossible as concession. To sanction the decree, was to break with Rome; to exercise the right of *veto*, was to brave the triumphant Revolution. The unhappy prince was placed between excommunication and deposition. The

Assembly had reduced him to extremity, whilst shaking in the gravest manner the Constitutional edifice which it was at that moment raising. The royal *veto* was, as is well-known, the fermenting cause of the terrible disturbances which broke out the year following, and ended in the 10th of August, and in the judgment of the prince. Thus it was the dictatorship assumed by the Assembly in religious questions that inaugurated the bloody crisis, in which the great victim sacrificed was, after all, liberty, humbled, and suppressed by so many crimes. It is certain that, from the autumn of 1790, Louis XVI. despaired of reconciling himself with the Revolution, and formed his first plan of flight at the instigation of M. d'Agoult, Bishop of Pamiers. He entered into conference with the Marquis de Bouillé, and in the month of November took the resolution to have recourse to foreign arms. On the 3rd of December, he addressed a letter to the King of Prussia, in which he openly claimed his help against the factious persons who wished to destroy the remnants of the monarchy.* It was then that the King quite involuntarily entered on that path of duplicity from which his honest nature would have turned him aside if his character had had a firmer temper. Cunning is the resource of weak and undecided natures. If he was wrong in deceiving the Assembly, it must not be forgotten that he had been reduced to the last extremity, and pursued even into the last shelter of his conscience. They allowed him no truce until he should have sanctioned the decree of the 27th of November; they were stopped neither by his reservations nor his promises. Twice did the president of the Assembly bring to him imperious summonses, rendered still more harsh by the speeches which had preceded them. Camus openly declared that,

* See "Les Mémoires de Louis de Bouillé," p. 17, v. 32; see "Buche and Roux Histoire Parlementaire," VIII., p. 172.

in face of the obstinate resistance of a part of the clergy, force ought to be applied.* This was to demand of the King to inaugurate persecution against his own religious faith. The Assembly voted that their president should go to the King the next day, to signify to him that they were not content with his engagement to sanction the decree later on; that they did not admit even a delay of three days, which a member of the Assembly had requested; and that an acceptance, pure and simple, was immediately required. When the King had given it in a letter, which might be regarded as his moral abdication, so stamped was it with humility, the Assembly might believe that the conflict was for ever terminated. They did not know that that very day Louis XVI. had suffered this word, so full of bitterness, to escape him: "I would rather be King of Metz than continue King of France in such circumstances; but it will soon be ended."† The King was alluding to his plans of flight; no one then suspected them, unless it was Marat, such clearness of vision does hatred sometimes impart.‡

The decree of the 27th of November had scarcely been sanctioned, when the majority of the Assembly took means for its immediate execution. They allowed no truce to the ecclesiastics who made part of the National deputation; they summoned them without delay to come and take the oath at the tribune. That was clearly to show that they were at open war, and that they were seeking only to crush and to humble their enemies; but it was also to offer to the latter the opportunity of a great moral triumph by rendering their resistance illustrious. The Assembly themselves raised the pedestal of the counter-revolution, for they provoked a pathetic scene in which honour should be entirely on the part of the high clergy.

Nothing can give an idea of the extraordinary animation of

* Sitting of Thursday, December 22, 1790.

† "Bucheze and Roux Histoire Parlementaire," VIII., p. 170.

‡ Ibid. p. 175.

these famous sittings, the echoes of which reverberated so terribly throughout the country. Riot, hardly restrained, was muttering at the doors of the Assembly; the public galleries bent under the stamping of the spectators, who were playing a too active part in the drama; fiery interpellations crossed one another, and the anger of the left was only equalled by the passionate indignation of the right. Words of moderation were not even heard. Both sides rejected whatever tended to soften the conflict. In vain, in the sitting of December 27th, 1790, did Grégoire endeavour to dissipate the scruples which the Civil Constitution of the clergy raised, by affirming that the Assembly wished to inflict no blow on dogma, or on the authority of the head of the Church. He persuades only those who were already of his opinion, and he was followed only by some parish priests. The insertion of his speech in the proceedings had no influence with opponents who rightly thought that an individual opinion, however respectable, did not change the nature of things, and that the explanation of a deputy should not prevail over the formal vote of an Assembly. Grégoire was not more happy when, in the sitting of the 4th of January, after the persistent refusals of a considerable part of the deputies of the clergy, he endeavoured to weaken the import of the oath by affirming that the Assembly did not judge consciences, and did not demand an internal assent, but simply obedience to the law. The Bishop of Lydda in vain added that he was persuaded that the National Assembly did not wish to encroach on the spiritual jurisdiction. He reaped the applauses of the left; but the attitude of the high clergy was only the more firm and decided. On the 2nd of January, the Bishop of Clermont had brought to the tribune a protestation, moderate in form; the violent murmurs which drowned his voice gave to it much more power than if he had been able to finish it. "There is no longer an Assembly," cried the Deputy Foucault, indignant at the violence of the majority. After the

most stormy altercations, it was decreed that no opponent should have the right to declare his motives at the tribune, and that the oath should be taken pure and simple. The Bishop of Clermont answered this summons by this word: "I cannot in conscience." Cries of rage stopped him. Meanwhile the *non-possumus* of the violated conscience was going to have an immense echo, and it was more easy to pass to the order of the day on such an incident in the midst of the Assembly than in the country. The same evening the Bishop of Clermont published, in a pamphlet, the restrictive oath, which he had not been able to explain at the tribune. Violently questioned at the sitting on the morrow, he replied by this beautiful speech, upon which all those should meditate who see an attempt on public morality in the refusal of the oath:—"You will always reproach yourselves for having inflicted a penalty on a man who has refused to take the oath. It is to say to him, 'Whatever your conscience says to you, take the oath.'" In order to have done with this slow work, Barnave demanded that the delay granted by the decree to ecclesiastical functionaries, members of the Assembly, should not be extended beyond the next day, and that the refusal of the oath should be considered as equivalent to a resignation. Cazalès could only delay the vote some moments by an eloquent speech, in which he limited himself to the request that they should not hasten to this degree repressive measures, for to require the oath before the answer of the Pope, was to put honourable citizens to the alternative of being impious or rebels. "Religion and honour," adds he, "have always been a powerful barrier against despotism of every kind."

No barrier could any longer stay the Revolution in its fury. It might be perceived when, on the observation of the orator, that the Assembly, in acting with rigour, would be forced to depose, perhaps, sixty or eighty of its members, several voices were heard to cry out, "So much the better!" The same evening, a bill posted on

the walls of Paris, in the name of the Municipality, and which was thought to reproduce the decree of the 27th of November, extended the obligation of the oath to all ecclesiastics, whether functionaries or not, and declared all those who refused it disturbers of the public peace. It was simply a forgery. When it was denounced with just indignation by Mirabeau, who reminded the Assembly that they had never thought of rendering this oath obligatory in itself, but simply of declaring the refusal of the oath incompatible with such functions, Bailly explained this fact by an error of the copyist. In reality, the copyist had mistaken only the date, for popular passion did not admit the distinction of Mirabeau, and it was soon to carry with it the national representation. They did not take into consideration the proposition of Malouet to seek out the guilty, but they immediately accepted that of Barnave to summon the ecclesiastics of the Assembly to come and take the oath at the tribune, under penalty of deposition. The impatience of the majority was such that they repelled all that could facilitate the execution of their own decrees, and went so far as to refuse the insertion in the proceedings of the explanations on the oath of Grégoire and Mirabeau. One would have said that they wished to leave open no door, little or great, which would permit the representatives of ancient France to re-enter into the Constitution. It openly aimed at putting them outside the law.

On January 4th, at the morning sitting, commenced the grand scene of the refusal of the oath. It was as the counterpart of that which has rendered for ever illustrious the hall of the Tennis-Court. Nothing but the most sectarian party spirit can deny its grandeur. I am aware what political passions, ever to be regretted, were mingled with that noble resistance to an unjust decree; I am aware that with religion were associated the counter-revolution, and regret for the ancient *régime*, with its abuses and privileges; but it is not the less true that on that day, despite this

fatal and culpable mingling, religion defended its rights, and preserved them by great sacrifices, offered in the midst of the gravest perils. In fact, popular effervescence had reached its height, kept up by frantic lampoons. At the very moment when the president summoned the ecclesiastical deputies, amid the silence, full of expectation and anxiety, which reigned in the Assembly, there might be heard the vociferations of the multitude, who were strongly disposed to show, by their acts, that for them liberty was confounded with their good pleasure. No one having answered the summons of the president, the roll-call commenced. The Bishop of Agen was the first to ascend the tribune; the uproar from without grows stronger, and scarcely has he opened his mouth than from the left several voices cry out, "No words. Do you take the oath; yes or no?" The Bishop expressed himself with calmness and gentleness: "You have made a law," said he; "by the 4th Article you have said that the public ecclesiastical functionaries should take an oath, the form of which you have decreed; by the 5th Article, that if they should refuse to take this oath, they should have forfeited their offices. I feel no regret for my place, no regret for my fortune; I should feel it for the loss of your esteem, which I wish to merit. I pray you then to accept my assurance of the pain I suffer in not being able to take the oath." The first ecclesiastic called after the Bishop of Agen is a simple parish priest, M. Fournés. He pronounces only these words: "I will say with the simplicity of the first Christians, 'I gain glory and honour in following my bishop, as Laurentius followed his pastor.'" Decidedly the roll-call was turning against the intentions of the Assembly, and serving only to give more *éclat* to resistance. They resumed the collective summons. They obtained only a single oath pure and simple. Cazalès demanded that at least the Assembly should declare that it had not wished to touch the spiritual. "It has not touched it, and that suffices," cried

Mirabeau. This last attempt at conciliation was thus brusquely set aside. The Bishop of Poitiers spoke in these terms: "I am seventy years of age; I have passed thirty-five of them in the episcopate, where I have done all the good that I could do. Overwhelmed with years, I do not wish to dishonour my old age—I do not wish to take an oath." Murmurs broke out, and the Bishop descends from the tribune saying, "I will take my lot in penitence."

It was necessary to finish, and Barnave had again the sad honour of hastening the *dénouement*. They voted on his proposition that the president of the Assembly should repair to the King to beg him to give orders for the prompt and entire execution of the decree of the 27th of November towards those members of the National Assembly who are ecclesiastics and public functionaries. It is grievous that the Abbé Maury judged fit to terminate this great strife by a ridiculous facetiousness, asking that the decree should come into force only at the end of sixty years. The oath question was unceasingly brought up again before the Assembly during the following days. They returned to it as to a siege; for some, it caused remorse; some ecclesiastics, who had submitted to the decree, sent explanations and mitigations, whereupon the Assembly disdainfully passed to the order of the day;* for others it is a means of serving hateful passions, witness that unknown abbé, who wished that they should act with severity against the refractory clergy, and subject them to a sort of inquisition;† for all it is a constant embarrassment—a subject of envenomed quarrels—a leaven of implacable discord.

In prospect of the vacancies which the refusal of the oath was certain to occasion in the course of the year 1791, Mirabeau caused to be decreed by the Assembly, after a tumultuous delibera-

* Sitting of January 2nd, 1791.

† Sitting of January 5.

tion, the eligibility to all episcopal sees of whomsoever should have been five years parish priest in France, and the eligibility to all cures, of every priest who should have had any function whatsoever in the same body. The Ecclesiastical Committee was invited to present a scheme of instruction on the Civil Constitution of the clergy suited to calm the passions. Some days later, on the occasion of rather serious religious disturbances in the department of la Somme, Barnave, whom we always see in the breach to combat the party of the bishops, and who will not, on any consideration, be surpassed in energy by Mirabeau, demanded a decree for the replacing of the refractory ecclesiastics ; but he was very wrong, in a moment when the popular passions were quite disposed brutally to suspend the right of meeting and association to the detriment of the Catholics, to denounce in violent terms the political society founded by the deputies of the right, by stigmatising it as a perfidious and factious association. These words were as culpable as illogical in the mouth of a friend of liberty, for they might be turned, that very evening, into lamentable violences. We comprehend how they excited in a portion of the Assembly an indignation which manifested itself by a sort of assault on the tribune. Malouet had every reason to protest in these terms : "I demand that in the very bosom of the Revolution, in the midst of this city which has witnessed the birth of the Constitution, which has done everything for liberty . . . I demand, I say, that liberty, that public and individual security be not outraged with impunity at this tribune."*

The decree required by Barnave was presented by Chasset at the sitting of the next day. It stated that after the expiration of the delay granted by the decree of the 18th December preceding, to the functionaries absent from France, proceedings should be

* Sitting of Tuesday, January 25, 1791.

taken to replace the public ecclesiastical functionaries who should not be present and who should not have taken the civic oath, as well as other ecclesiastics who should not have taken the oath within the time fixed by the law. Cazalès, rather to honour than to prevent the defeat of his party, invoked, for the last time, the rights of the Church, which an adjournment of the putting into execution of the decree of November 27th would have reserved, by leaving to her time to receive the answer and directions of her sole legitimate chief. But to name the Holy Father at the tribune was sufficient to raise such a tumult that no voice could succeed in subduing it. In the midst of the cross-fire of the interpellations, the Abbé Maury was heard to say to his party: "Gentlemen, allow it to be done; it will not be long." "We have need of this decree," added he, addressing himself to his adversaries, "two or three more like that, and all will be at an end." It was to desert the ground of right for the field of battle, where reason belongs to the strongest; the hasty Abbé made his cause pay dearly for his insults and jesting defiances. When Cazalès could again be heard, he brought forward considerations well worthy of being maturely weighed. He insisted on the dangers of the religious schism which was being prepared. "I say that almost all the bishops of France, and that the parish priests in great part believe that the principles of religion forbid them to obey your decrees; that this persuasion is strengthened by contradiction, and that these principles are of an order superior to your laws; that when you shall have driven the bishops from their sees and the parish priests from their presbyteries, in order to conquer this resistance, you will not have conquered it—you will be on the first step of the career of persecution which is opening before you." The orator then presented a striking picture of the consequences of schism, and of the profound disturbance which it would cause in consciences. "You will see," said he, "the

Catholics wandering over the face of the empire, follow into caverns, into deserts, their persecuted ministers, in order to receive from them valid sacraments; then in all the kingdom the Catholics will be reduced to the same state of poverty and persecution into which the Protestants were plunged by the revocation of the Edict of Nantes—that act which roused to indignation your sense of justice, which made your humanity groan.” Mirabeau won loud applause by saying that those who indulged in such sinister prognostications, perhaps took their wishes for their expectations. Events speedily proved that Cazalès had been only too true a prophet, that the violence which was to compromise and dishonour the Revolution was only just at its commencement.

The Assembly published, at the same time as the decree of January 26th, the address explanatory of the Civil Constitution of the clergy, which had been drawn up by the Ecclesiastical Committee. They hoped thus to neutralise the grievous consequences of the clerical opposition. Mirabeau had presented a bill which was much applauded on the first reading, but which was not definitively accepted. He appears there at his full height, with his magnificent language, sometimes a little declamatory, with that large comprehension of the conditions of liberty which raises him so high above all the disciples of Rousseau, but also with that thirst for popularity which was the peculiar weakness of the tribune, and which ends by the orator following at the heels of those whom he ought to guide. There is consequently in this plan of address the most inconceivable contradiction. Mirabeau begins by stating the principle of the relations of religion to the State, so luminously, so admirably, that at the first step he has stumbled upon the formula of the future, in order to conclude by an apology for the Civil Constitution of the clergy, inconsistent and even embarrassed whenever it is not relieved by a burst of passion. It is

quite the Monster of Horace : he begins with liberty to end in the foulest despotism.

We better understand this strange anomaly when we explain the plan of this address. In the first part, Mirabeau defends the Assembly for not having, as the bishops desired, proclaimed a national religion. In the second part, on the contrary, he wishes to justify the measures taken authoritatively to reform the Church of France, and he is inconsistent in his turn. Thus in this memorable strife every one is right and wrong by turns. Let us confess, however, that from a situation so complicated, Mirabeau, from the midst of the obscurity, knew how to emit magnificent lightning flashes, which, for the moment, illuminate the whole horizon and afford presentiments of the great solution of the future. Mirabeau was not a believer, but an instinct of his genius revealed to him the indispensable union of liberty and Christianity. "Liberty," said he in commencing, "liberty which, as well as our faith, comes from heaven, seems to point to faith as the companion of its eternity and divinity." He magnificently vindicates the Assembly for having refused explicitly to decree that the Catholic, Apostolic, and Roman religion is the national religion. "To declare the Christian religion national would have been to blast the most deep-seated, most essential character of Christianity. In general, religion is not, it cannot be a social relation, it is a relation of the individual man with the Infinite Being." Here is the true individualism established and stated at the first stroke! "Could you comprehend," continues Mirabeau, "what they wished to tell you, if they spoke to you of a national conscience? Well! religion is no more national than conscience; for a man is not truly religious because he is of the religion of a nation; and if there should be only one religion in the universe, and that all men should be agreed to profess it, it would still be true that each of them would have a sincere sentiment of religion only as far as each should be

of his own religion, that is to say, in as far as he would still follow this universal religion if mankind should come to adjure it. A national religion cannot be proclaimed because truth is not decided by vote, and because men touch one another only by the superficies of their being, whilst they remain isolated by thought and conscience. Only institutions established to produce political effects can be national, and religion being nothing but the correspondence of the thought and spirituality of man with the Divine thought, with the universal spirit, it follows that it cannot, in this view, take any civil or legal form." If that is true of religion in general, it is especially true of Christianity, which assumes to be the absolute and universal religion. It might as well be declared that the sun is the star of the French nation as to proclaim Christianity the religion of France. Its real detractors are those who wish thus to confine it within the frontiers of a country, instead of leaving it as the rallying point and the centre of unity of the human race placed by God in the midst of the universe. "It is you," says Mirabeau to the bishops, "it is you who outrage the religion of our fathers! You wish that, like to those false religions, born of the ignorance of men, accredited by the rulers of the earth, and mixed up in the political institutions as a means of oppression, it should be declared the religion of the law and of the Cæsars." The highest tradition of Christianity is contrary to these pretensions. "Its ministers would have refused a legal existence, because it was necessary that God alone should appear in that which was solely his work. Of all the sages who have applied themselves to instruct men and to render them good and happy, Jesus Christ is the only one who has not considered them under any political relation, and who has, in no circumstance, mingled with his instructions principles relative to the legislation of empires. Whatever be the influence of the Gospel on human morality, neither Jesus Christ nor His disciples ever caused it to be under-

stood that the evangelical institution should enter into the constitutional laws of nations. The Gospel is an entirely spiritual economy offered to mortals in so far as they have a destination ulterior to the ends of civil society, and above all, political relations; it is proposed to man as his second reason, as the supplement of his conscience, and not to society as a new subject for legislative measures. In short, the Gospel has demanded, in appearing in the world, that men should receive it, and that governments should permit it. Such is the external character which distinguished it in its origin from all the other religions which had tyrannised over the earth, and it is this which ought to distinguish it, even to the end of time, from all those forms of worship which subsist only by their incorporation with the laws of empires."

One is confounded and almost humiliated for the human mind in passing from the exposition, so clear and strong, of these immortal truths to the embarrassed justification of the Civil Constitution of the clergy, by which they were so flagrantly violated. It is of very little consequence to know how Mirabeau attempts to prove that a religion which could not be national may nevertheless become in reality the religion of the public, and be regulated under this title by the civil power. The second part of the address is only a repetition of his speech on the political oath imposed on the priests; we find there the same theories hazarded on the universal jurisdiction of the bishops, the same angry protestations against the abuses of the list of benefices, the same extemporised theology, in fine, that ridiculous blending of the Father of the Church and of the tribune which had already astonished the Assembly. A splendid peroration, which sketched in outlines of fire the regeneration of France by liberty, and which veiled, under a purple hue, all the sophisms and contradictions of a speech which had crowned the most beautiful theories

on the independence of the conscience by the apology for a civil religion. But time was soon to dissipate the errors of this powerful mind; and if the great truths which he had caught sight of and proclaimed, could not save France, they remained graven for posterity in his incomparable language; the day when we shall know how to comprehend and apply them, the faults of the first Revolution will be repaired.

The address of Mirabeau was such as to call forth, on the first reading, enthusiastic applause, but on reflection, it was doubtless found too bold and too liberal. Accordingly, it was replaced by a tame document elaborated by the Ecclesiastical Committee, which was restricted to affirming that the independence of the Church had been preserved, and which, in the midst of the unchained passions, spoke a language without energy and without warmth, as incapable of moving the heart as of persuading the intellect. This address was not even noticed, it obtained only a universal disdain; whilst that of Mirabeau preserved for the future an importance so much the greater that it had no official character.*

Whilst the National Assembly was endeavouring, after so many stormy debates, to propose to the divided parties a derisive pacification which did not rest on the equality of rights, the violence of the people of Paris, and the still more culpable violence of the demagogic press, rendered all reconciliation impossible. The Revolutionary papers overflowed with insults and threatenings against the refractory clergy. The journal of Marat, from the 9th of January, urged the people to hoot and ridicule the priests who should be found caballing; the populace had already shown themselves sufficiently docile in following such counsels. Camille Desmoulins applied his brilliant facetiousness and keen, pointed,

* See the "Moniteur" of January 25th, 1791.

cutting style to the jeering of the high clergy. He published, at the commencement of January, in his "Révolutions de France et de Brabant," a pretended sermon of the parish priest of Saint-Gaudens, which was a biting and implacable satire on the party of the bishops. These light and piercing darts were launched by a sure hand, and were destined to excite as much delight in one camp as fury in the other. He had taken for the text of his derisive sermon these words, attributed to an old cardinal on the occasion of the Civil Constitution of the clergy: "The bishops were on the throne, and religion on the ground; France has just put the bishops below and religion on high." The talent of the journalist, as marvellous as it is insulting, shines in these pages. On the question of jurisdiction, he wittily said that to hear Maury, it would seem that Jesus Christ, like Numa, would have pronounced the penalty of death on any one who should offend even lightly the god Termes, or should displace only a boundary. Nothing is keener than his piece on clerical election. We can imagine with what galling anecdotes and keen strokes the list of benefices inspired him. He quoted this profound word of James I.: "So long as I shall have the power to nominate judges and bishops, I am certain of having laws and a gospel which will please me." "How have our bishops governed since the concordats? How little does their guilt crosier resemble the crook of the Apostles? You are not ignorant how Saint Ambrose chastised the emperor Theodosius; it was because this bishop had been nominated by the people of Milan. But name to me a bishop of France who has reproached our tyrants for their slothfulness, their cruelties, and their wars. In what concerned the demand for a national council, Camille Desmoulins said "that the council of 1791 would not fail to imitate that of 1179, which granted for itinerancy, *to the rural dean, two horses; to the archdeacon, seven horses; to the bishop, twenty horses; to the archbishop, twenty-five horses; to the*

cardinal, forty horses. As for the Pope, as the fathers of the council held their sittings in his palace of the Lateran, as they dined at his table in the Lateran, they did not trace with their crosiers the boundary of the stables of the Holy Father, but permitted him to have studs as numerous as Solomon. But although that was the time of the great riches of the Pope, he was not yet rich enough to have as many horses in his stable as he had asses in the council." After an ironical comparison of the pretensions of the bishops with the words of the Gospel and the institutions of the Primitive Church, Camille Desmoulins dissuaded from violence against the refractory; he wished that they should not tear from them their robes of lawn, but that they should restrict themselves to famishing them by the refusal of maintenance. "After that, the refractory bishops were welcome to their episcopal throne, and to stand there like Saint Simeon Stylite on his column. We shall see if Heaven will send down manna on them, or if it will send them, as to Saint Paul the hermit, a raven which has its beak sufficiently cloven to bring to each of them every day a pound loaf. . . . When they are not paid, you will very soon know, my very dear brethren, that this sort of demons which are called Pharisees, or princes of priests, *is not cast out except by fasting.*"*

Such a pamphlet belongs to history, for it presents the popular opinion of the moment under the most lively form. It served equally as a sharpened goad to the contrary party; the sentiment of honour, so powerful in France, would have sufficed to the high clergy to contradict these sarcasms, and to prove that they knew how to suffer privations and even persecutions. But, before resigning themselves to martyrdom, they wished to be organised and to fight; and the word of command was about to come to them from Rome.

* Buchez and Roux "Histoire Parlementaire," VIII., p. 393.

Chapter v.

The Schism Constituted.—Correspondence with Rome.—Consequence of the Legislative Measures in the Country.—Splendid Debate on Religious Liberty, on the occasion of the opening of the first Church of the Nonjurors.—Speeches of Sieyès and Talleyrand.—End of the Constituent Assembly.

WE have seen that the Pope had delayed the sending of his official answer to the bishops who had consulted him on the Civil Constitution of the clergy, whilst giving it clearly to be understood by his letters what was his invariable determination. Probably he had waited for events; he would, doubtless, have desired that a sudden success of reaction should have diverted the prospect of the schism which his definitive brief was about to constitute. The affair of Avignon had just engaged the Assembly, and it was easy to foresee what would be its issue. The county of Avignon and the county Venaissin had formed, since the thirteenth century, a part of the states of the Holy Father; but the possession had been more than once disputed by the kings of France, although they had always in the issue returned to him. From the point of view of the ancient European right, confirmed by diplomatic acts, the Papacy legitimately possessed the county. But the new right, based on the popular sovereignty, could not fail to enter into conflict with the ancient right in this little pontifical territory, subjected to the *régime* of the Middle Ages in the centre of a country over which was passing the breath of political renovation. It was impossible to stay this contagion of liberty.

The question was raised on the 12th of November, 1789, by the Abbé Bouche. In the month of March of the following year, the agitation commenced at Avignon. The people of Avignon had, of their own accord, given themselves a municipal organisation, against which the Pope hastened to protest. They took a further step and formally demanded their re-union to France. The partisans of the re-union persevered in this desire through the bloody strifes which broke out at Cavaillon, at Carpentras, and at Avignon itself. They did not allow themselves to be discouraged by the delays of the Assembly, who were afraid of too quickly exciting a European war; boldness was less easy to them, in a question which was encompassed with grave diplomatic difficulties, than in the affairs of the interior. In the month of August, 1790, the Pope had addressed to all the sovereigns a pastoral letter to prove to them that the possession of this shred of land by the Holy See concerned entire Europe, and was bound up with the first interests of order and religion. He complained with bitterness of the ingratitude of subjects whom he had loaded with benefits, and who had enjoyed the most paternal *régime*. But it was exactly this paternity, transported into the political domain, which galled them. The question of Avignon came up several times before the National Assembly. The majority were very decided in principle in favour of the people of Avignon, but they hesitated before the grave complications which they dreaded. These hesitations were to come to an end only when the Revolution should have no longer considerations to maintain with Europe.

The debates on Avignon present great interest; one might believe them of yesterday on the circumstances of the present time. A solemn discussion was opened in November, 1790. The clerical party appealed to historic right, and displayed a truly Benedictine learning in order to maintain Avignon under the Papal yoke. They appealed also to the danger of disturbing the

ancient sovereignties; but when they went so far as to boast of the Pontifical *régime* in the political sphere, and to invoke the *ancient liberties* of the county, an immense burst of laughter interrupted their orators. Some members of the left committed the error of following them on the ground of historical right in contesting the donation made by Joan of Naples; but these vain cavils fell before a possession of long duration. It was much more logical to invoke, like Pétion, the popular right, and to affirm that the people of Avignon were no longer the Pope's, since they no longer wished to be under his yoke, and that it comported with the dignity and greatness of the Assembly boldly to acknowledge that kings belong to the peoples and that the peoples do not belong to the kings.* It was the very principle of the French Revolution which was asserted. It was easy for Pétion to set forth all the vices of a clerical organisation which united the two powers in the same person, and conferred a sacred and irrevocable character on the faults and errors of an authority irresponsible, since it believed itself infallible. Mirabeau, in the name of the Ecclesiastical Committee, proposed to the Assembly not to decide the fundamental question, on account of the diplomatic difficulties, but to confine themselves to maintaining the public tranquillity in this little country, which could not move without agitating the whole South. But Mirabeau did not make it less clearly understood that the right of the Avignonese appeared to him self-evident. In the month of May of the following year, the Assembly declined, in the same spirit, the proposition to vote the annexation of Avignon and of Venaissin, but they were so very decided on the basis of the question that, as soon as circumstances permitted, they voted before dissolving, in the sitting of the 13th of September, 1791, the re-union of Avignon ✓

* Sitting of November 16th, 1790.

to France, in consideration of an indemnity, the amount of which was not fixed. They had prepared this measure in the month of June, by nominating commissioners charged to seek the pacification of the country, and to ascertain the popular wish. The country had been occupied by military since the month of January. The Pope knew what he might count upon respecting the final result of this affair. Reasons of doctrine and discipline apart, he had then a personal grievance against the Revolution; the question of territory weighed, as always, with a great weight on his decisions.

Three important documents emanated at this time from the Court of Rome; they were destined to set on foot an organised resistance in the bosom of the Church of France. The first is a brief of the 10th of March, 1790, on the Civil Constitution of the clergy. It is not yet the final decision of the Holy Father, for he asks the French bishops to communicate to him their opinion. Nevertheless, this preliminary brief already decides all the pending questions, either as to the diocesan jurisdictions and the admission of laymen in elections, or as to the primacy of the Holy See, the privilege of the episcopal authority, and the alienation of ecclesiastical property. Unhappily, the Pope joins to some claims, founded on the liberties of the Church, a summary condemnation of the most precious conquests of the Revolution, although he does not appear to defend the ancient *régime*. What did he, then, when he openly branded the acknowledgment of equality and political liberty in the Declaration of Rights? "The necessary effect of the Constitution decreed by the Assembly," says he, "is to annihilate the Catholic religion, and with it the obedience due to the laws. It is in this view that they establish as a right of man in society this absolute liberty, which not only secures the right of not being disturbed for one's religious opinions, but which also grants that license of thinking, speaking, writing, and even of printing with impunity in the matter of religion, all that the

most unregulated imagination can suggest; a monstrous right, which, nevertheless, appears to the Assembly to result from the equality and liberty natural to all men." Further, the Pope treats as chimerical the liberty of thinking and acting,* and rises with energy against the refusal of the Assembly to declare Catholicism the national and dominant religion. Nevertheless, he protests as strongly against the intrusion of the laity into questions of discipline. That is to say, that they are competent to vote privilege, but that they are not competent to repress abuses. The brief is terminated by a violent sally against the Bishop of Autun, denounced to the Universal Church as an infidel for having taken the oath to the Civil Constitution of the clergy. The retractation and martyrdom of Thomas à Becket are placed in contrast to him, whilst the chastisement of Heliodorus is recalled to the spoliators and profaners of the sanctuary. The National Assembly is compared to Henry VIII. The Pope announces an approaching excommunication for the recalcitrants, and concludes by asking the bishops if they knew of any means of preventing the schism. After hurling such defiance at the Revolution, it was foolish to hope for a reconciliation. This brief was accompanied by a letter to Louis XVI., which contained the explicit condemnation of the Civil Constitution of the clergy, and was perfectly calculated to shake the timid conscience of the King. "Your Majesty," said the Pope, "is under engagement, by a promise deposited in our hands, to live and die in the bosom of the Catholic religion, and this promise was for us a powerful reason for consolation. But for you, Sire, it will become henceforth an inexhaustible source of bitterness and sharp vexation, when you shall have learned that by your sanction you shall have detached from the Catholic unity all those who shall have had the weakness to take

* "Briefs of Pius VI.," vol. I., pp. 126, 127.

the oath required by the Assembly." In fine, the Pope accused the King of having been wanting to his coronation oath. We comprehend how these severe declarations were destined to throw into confusion the irresolute heart of a sincerely pious prince. They hastened the moment when all concession would be impossible to him, and when his tardy and powerless resistance would lead to the fall of his throne and precipitate the Revolution into the utmost violences.

The bishops deputed to the National Assembly hastened to reply to the Pope. They could not do otherwise than acquiesce in his judgment on the Civil Constitution of the clergy. They recounted the means of conciliation which they had indicated, and which all ended in the convocation of a national council. Nevertheless, they took exception, in courteous language, to some of the political theories of the Holy See ; and declared that they accepted, without scruple on their part, the great principles of liberty and equality put on the frontispiece of the new Constitution of France. "We have desired," said they, "to establish the true empire of political liberty in an hereditary monarchy. Political equality may be extended or restricted according to the different forms of government." The bishops made profession of toleration for all opinions in civil life, and forcibly established the distinction of the two powers. It was to no purpose to quote Bossuet : they spoke a very different language. *Politics drawn from Holy Scripture* was no longer their chart, and they were much in advance of Rome. To be convinced of this we have only to glance at the notes with which the editor of the briefs of Pius VI. has enriched this answer of the high dignitaries of the Church of France. They breathe the most senseless absolutism, whilst in France reconciliation between religion and the Revolution was possible on the ground of right and liberty. Unhappily, persecution was about to bring back French Catholicism to its instincts and remembrances ;

and the spirit which ruled at Rome, and which had already appeared in more than one charge, was about to seize it again as its evil genius. The bishops pointed out, at the end of their letter, all the difficulties and perils of their situation: "When oaths, contrary to our consciences, are the laws imposed on us; when we are treated as refractories because we do not wish to commit perjury; when, by an event which has no parallel, a hundred and twenty-eight bishops are deprived of their sees, without resignation, without forfeiture, and without trial, what are the means which remain to us to reconcile the principles of the Church with the will of the civil power?" "We shall submit to our destiny," they add, "whatever it be, with the courage which religion inspires. Rise, most Holy Father, to all the wisdom and liberty of your ministry; go forth from the midst of those considerations and private fitnesses which expire with us. We occupy a small point in time, as in space, and our fate cannot enter into the balance with the destinies of empires and the promises of the Church. We know what are the examples which the Church gives us, and we have learnt how to suffer for her. Let principles be in safe keeping!" The bishops concluded by offering their resignation if the schism could yet be avoided. Assuredly this letter remains a beautiful monument in the religious history of France; we find therein the inimitable accents of the Christian conscience.

From the 13th of April the Pope had given his final decision in a letter to the Church of France, cardinals, archbishops, bishops, chapters, clergy, and people of the kingdom.* He therein declares that none of the faithful can any longer doubt that this new Constitution of the Clergy is established on heretical principles. He protests against the consecration of Expilly, the new bishop of

* "Briefs of Pius VI.," I., p. 280.

Quimper, and against all the new elections, on the ground that the Churches belong to their former pastors. The Pope addressed, in fine, a solemn appeal to all the Catholics of France, and adjured them, in the name of their eternal salvation, to remain faithful to the ancient laws of the Church and to the Holy See !

Henceforth all agreement became impossible ; there were two Churches in France, that of the Pope and that of the Revolution ; the Constitutional and protected Church, and the refractory and persecuted Church. To the honour of the first, the hour of persecution was soon to strike for her, for the bastard *régime* which she inaugurated was not likely to live. Besides, the popular outbursts of anger raised by the resistance of the nonjuring clergy were not long to distinguish between the two Churches, and it was religion itself that they were soon about to curse and proscribe. Out of a hundred and thirty-one bishops, four only accepted the Civil Constitution of the clergy ; a multitude of chapters and second-rate parish priests and pastors sent in their adhesion to the Pope.*

The opposition movement then immediately assumed a very great importance. Resistance was organised on all sides ; it had been prepared by the charges of the bishops, and their answers to the departmental administrations, when the latter summoned them to put into execution the decree of the Assembly on the Civil Constitution of the clergy. To the charges which we have cited, it is necessary to add the pastoral instructions of the Bishops of Boulogne, Poitiers, Lyons, Digne, Uzès, Bayeux, Soissons, Sisteron, Puy, Grasse, and Trèves. Several of these bishops had also the opportunity of formally declining to acknowledge the competency of the civil authorities.† All firmly maintained the right of the

* " Briefs of Pius VI.," I., p. 277.

† These charges may be read in the third volume of the collection of Barruel.

Church, and when the Assembly had voted the general deposition of the nonjuring bishops, they had had time to recruit numerous and fervent adherents, who were about to sustain their cause in their absence.

Only four of the former bishops had decided to take the oath ; these bishops were naturally maintained in their sees. They proceeded by election to the replacing of the others in the dioceses maintained by the law. Gobel, Bishop of Lydda, was chosen metropolitan of Paris. Expilly and Marolles, ecclesiastical deputies, were chosen in the departments of Finistère and Aisne, and were consecrated at Paris by Talleyrand-Périgord ; Grégoire was chosen at Blois, Claude Le Coz at Rennes, Lamourette at Lyons, Moïse in the department of the Jura. The high constitutional clergy were, in general, recruited with honourable men, but of moderate position and talent. The most eminent bishop was indisputably Grégoire, a strong character, who was to bend neither before the bloody Saturnalia of demagogism, nor before the threatenings and promises of despotism. His new position was in perfect agreement with his convictions ; no one was more attached to the Revolution, he loved it with an enthusiasm which might prompt him to an imprudent language, but never to a culpable act. He was, besides, neither a great thinker, nor an eloquent orator, but he was cut, in some sort, out of that rock with which a new society is solidly constructed. He had faith and heroism. Lamourette was noted among the insignificant apologists of Christianity who had endeavoured, in the eighteenth century, to combat the prevailing opinion ; but he had that tame goodness which leaves not even a trace in times of agitation and contest. Claude Le Coz was honoured for the courage which he displayed in the defence of the nonjuring priests, and for his devotedness to the person of the King. He defended, with all the energy of a sincere conviction, the Civil Constitution of the clergy. As for the Bishop

of Lydda, he was one of those souls, without consistence, whom revolutions toss at their will as the waves roll the seaweeds. In reality he was, as we shall see, full of scruples respecting the Civil Constitution of the clergy, and one of its least convinced defenders; nevertheless, he was for ever to dishonour his name by the most scandalous apostasy.*

Among the members of the ancient clergy of France who had not quitted their see, two were poor and obscure: they were de Jorente, Bishop of Orleans, and de Savines, Bishop of Viviers; two were celebrated, but little esteemed: they were Talleyrand-Périgord, more of a politician than a bishop, who was soon about to enter into ordinary life, in order to display there qualities little compatible with his first vocation, and Loménie de Brienne, who had been as fickle as a minister as he had been as a prelate. The Pope had received from this last a letter in which he foreshadowed his adhesion to the Civil Constitution of the clergy. The Pope answered him in severe terms, accusing him of inflicting on the Roman purple the greatest possible dishonour by the taking of the civic oath and the consecration of new bishops. "Such acts," said the Holy Father, "are detestable crimes." Brienne answered by sending in his resignation as cardinal. The Pope announced that he accepted it, in a secret consistory held the 26th of September, 1791. After having enumerated the services rendered to the Church by the Archbishop of Sens, the Holy Father passed in review his culpable acts, and did not hesitate to place in the first rank of crime what he had done as minister to assure toleration to the Protestants. He reproached him with having restored in part the fatal Edict of Nantes. Thus the Holy

* See on the Constitutional clergy the 12th volume of the "*Histoire de l'Eglise de France*," by the Abbé Guettée, pp. 254—263; and on the persecutions against the nonjurors the "*Histoire de l'Eglise de France sous la Révolution*," by Barruel.

See continued the apologist of religious persecution, at the very moment when it was claiming the liberties of the Church. There was no surer means of injuring his cause. The elections to the bishoprics and cures were not everywhere easily effected. In certain parishes it was necessary to repeat the balloting seven or eight times : fanaticism spread absurd or ridiculous reports. It was pretended that at the moment of the election of Expilly, the thunder had rolled, and that the sky was suddenly obscured the day of his entry into Quimper. They spoke of sudden numerous deaths among those who had taken the oath. These last were more and more an object of horror and fright to the partisans of the ancient Church.

The first public manifestations of the constitutional clergy were not of a nature to raise their dignity. The new Bishop of Auch presented himself at the bar of the Assembly to bring to it his homage. He pronounced a violent discourse against the refractory clergy, in which he spoke of the torches and poniards of fanaticism. He concluded by a pompous apology for his conduct, and a protestation of passionate attachment to the Civil Constitution of the clergy. "Now, O Lord," cried he, "Thou mayest dispose of my life." Nothing was more insipid than the letter of the Bishop of Paris to the constitutional clergy and the faithful of his diocese. "Let us preach to our flock," said the Bishop, "that next to the Divine law, nothing is more sacred than the law of the State, that it is to be wanting to the first not to obey the second." Thus, all which is given to Cæsar is given to God ; there is neither distinction, nor reserve. France had found, at the first stroke, the model of religious officials. Gobel surpassed himself in the charge which he published on the occasion of the death of Mirabeau, in which, according to his own expression, he poured out his ingenuous soul. He bitterly regrets not to be able to sing the national song, *Ça ira, ça ira* (that will go, that will go),

on the occasion of the restoration of the great man to whom he is indebted for canonically exercising on the flowery banks of the Seine, the ministry which he had exercised sadly and without glory among the rocks and eternal snows of Switzerland, for it is the pure hand of Mirabeau that has placed him in the See of Paris. "Who would have thought," cried he, with compunction, "that a venerable archbishop would be proscribed to make room for Gobel! How the talent of the great man whom we weep to-day shines forth with splendour in this admirable work!" At this thought the sensibility of the Bishop knows no bounds. "We must have civic priests, civic bishops, and a religion entirely civic!" That nothing might be wanting to the ridiculousness of this piece, it ends by a homage to the domestic virtues of Mirabeau, proclaimed the father of the new church. This incomparable piece, destined to be sent into every department, district, and section, is signed by the bishop and his secretary, *Courte Queue*.* We may imagine the effect which such language produced on the adherents of the ancient clergy. Some months later, Gobel presided at a ridiculous farce, which mingled the Carnival with the most holy ceremonies of the Church. Children, who had made their first communion at his hands, had been promenaded in Paris with great display. To the club of the Jacobins, they had explained the principles which were taught them. "You have put in broad day-light," they were made to say, "this sublime truth, repeated so many times, but in vain, by Voltaire, under the reign of the despots: 'The virtue of men is not in creed.'" Gobel, we see, had not far to travel to inaugurate the worship of reason. They presented these interesting neophytes to the Assembly. Their orator recited in their name a foolishly-pompous speech, in which he welcomed the Revolution, and de-

* Buchez and Roux, "Histoire Parlémentaire," IX., p. 402.

manded that these children of religion might become the children of the country by the adoption of the National Assembly: then all took the civic oath in chorus. The grave Treilhard, who presided at the sitting, answered in the same tone: "There is no longer childhood," said he, "when the question is of the country, and the ices of old age are melted and grow warm for the defence of the empire." The left applauded, and demanded the printing of these masterpieces. On which the right burst out into ironical laughter, treating as a masquerade the scene which had just taken place. One of the most stormy disputes ensued, in which they were near passing from hard words to blows—a worthy conclusion of the exhibition of the communicants of Gobel. Decidedly the constitutional clergy were badly represented at the centre of intelligence.

The popular irritation against the priests who had refused the oath only increased. Vile caricatures held them up to public contempt. The Easter festivals, which were to place before the conscience of each of the faithful, the great question dividing the country, inflamed the passions of the multitude. Some unsuppressed convents had been the object of shameful violence, at the commencement of the month of April, under pretext that the services had been celebrated there by refractory priests.* Nuns had been whipped in public. The Municipality was obliged to post a proclamation to put an end to these frightful scenes, which as much shocked public modesty as they were hurtful to liberty, promising at the same time that measures should be taken to interdict the churches of the State to the refractories.† These disturbances led to a resolution of the directorship of the department of the Seine, declaring that the temples which should not be

* Buchez and Roux, "Histoire Parlémentaire," X., p. 197.

† "Moniteur" of April 10th, 1791.

acknowledged necessary to the constitutional worship, should be sold, and appropriated by the purchasers to the uses which suited their purpose. It was clearly stipulated that private persons should be free to appropriate such or such a religious edifice to the celebration of any worship whatsoever, on condition of placing over the external door of the temple an inscription to indicate its use, and to distinguish it from the churches belonging to the nation. The authorisation of the department was declared necessary for this inscription during the course of the year 1791. It was, doubtless, feared that it might contain some indirect appeal to resistance, or some provocation to riot. The agitation was not less in the departments. The days appointed for taking the oath were terrible days. The magistrates, in their scarfs, and followed by the armed force, repaired to the churches at the hour of service, and often strove hard to obtain the civic oath willingly or by violence. In Champagne, a parish priest was killed by a gun shot, before the altar, at the moment when he was explaining his refusal of the oath.*

Already the greater part of the high clergy had emigrated. Most of the bishops had crossed the frontier, but from thence they acted with the greater effect on their ancient dioceses, and employed all means to stimulate the spirit of resistance. It served the King nothing to have sanctioned the decrees. It was known that, in reality, he had not yielded, and that his scrupulous piety was alarmed at receiving the sacraments from a constitutional priest. As he made no show of his private sentiments, the wisest course would have been to have respected them. It would, doubtless, have been difficult to acknowledge as official chaplain, a prelate who had refused to submit to the oath; but it was necessary to close the eyes on the private conduct of the

* Barruel, p. 44.

King, and not to fetter his individual liberty. Meanwhile, a popular outbreak prevented him from repairing to St. Cloud to celebrate his Easter. It had been provoked by a placard which the club of the Cordeliers had caused to be posted on Sunday, the 27th of April, and which ran as follows: "The society, on the declaration made to it that the first public functionary of the nation suffers and permits refractory priests to harbour in his house and there publicly to exercise, to the scandal of the French and of the law, public functions which are prohibited; that he has even to-day received the Easter communion and heard mass from one of the refractory priests, denounces to the representatives of the nation this first subject of the law, as refractory to the laws of the Constitution." It was surmised that the King was setting out to rejoin the refractory bishops. He had, on the 17th of April, to repair to the Assembly to get acknowledged his liberty of going and coming, which he found it more prudent or more clever for the moment not to use. "It is astonishing," said the King, "that after having given liberty to the nation, I myself am not free!"

Relying on the resolution of the Directory of the department, which permitted the letting of religious edifices for any worship whatsoever, some citizens had rented the church of the Theatines to open it for the use of the nonjuring priests. The Directory had accepted the following placard: *Building consecrated to religious worship by a private society. Peace and liberty.* The people of Paris had a fine opportunity of showing their respect for liberty, for the question was of maintaining the right of a minority whose principles they detested. Unhappily, under the excitement of the press and clubs, they were incapable of restraining their passions. The very day on which, for the first time, the worship of the unsworn Catholics was to be celebrated, an insulting and threatening placard was posted on the door; the crowd stationed itself in

the street, resolved to let no one enter, and to join issue with any one whatsoever who should attempt to cross the threshold of the church. Orders had indeed been given to a detachment of the National Guard, but they were so ambiguous that the National Guards did not suppose that they were to protect the right of the Catholics. Thus the most precious of liberties was outrageously violated on the first occasion. In vain was it pretended that the required placard had not been posted at a suitable time. Before all placards there was the glorious frontispiece of the Constitution, the Declaration of Rights, which was no more than a dead letter, or a scrap of paper, if it was to protect only the strong and to abandon the weak to the oppression of the rabble. The part taken by La Fayette in these circumstances was very honourable. He had seen in action, in America, the most extended religious liberty; he would have wished the same *régime* for France. "The remedy proposed," we read in his Memoirs, "of leaving, after the example of the United States, each society to support its temple and its ministers, was rejected on all sides."* Although very hostile to the party of the high clergy, he knew how to respect in them the right of conscience; and he authorised the refractories to open a chapel in his own mansion.† When the people tumultuously assembled to prevent the King from going to celebrate his Easter at Saint-Cloud, he gave in his resignation, so odious appeared to him this blow to religious liberty in the person of the prince. He withdrew it only on the assurance that no similar attempt should be renewed. He energetically protected the non-jurors of the Theatines, and entreated them to celebrate their worship, despite the opposition of the people. They refused. "For two days," writes the General on the occasion of these

* "Mémoires de Lafayette," III., p. 39.

† "Mémoires de Lafayette," III., p. 60. Idem, p. 172.

events, "I pass my life in discussions and arrangements which have relation to the full and immediate maintenance of religious liberty. The real aristocrats are vexed because we separate religion from their opposition. The Ecclesiastical Committee spoke to me to-day of precautions against the refractories. I said that the National Guard was an instrument which would play all the airs that were wished, provided they did not change the key, which was the Declaration of Rights."

The affair was brought before the Assembly, and gave rise to a very fine debate, the theoretic conclusions of which were in the direction of liberty; but it was a very chimerical liberty so long as it was abandoned to all the caprices of riot. This debate was provoked by the Directory itself, which had protested, by a very plain proclamation, against the blow given to religious liberty. The Assembly began by discussing the resolution which had regulated the exercise of worship in the different religious edifices. This resolution, apart from the clauses already mentioned, enacted that the municipality should nominate, for each parish church, a public officer under the name of *préposé*, who should have the care of the edifice. A section of the Assembly thought that they saw in this creation of a public office by a municipality, an encroachment on their right; it was, according to them, an act of legislation. But it was not on this point that the discussion specially bore. The Directory had forbidden all ecclesiastical duties in the parish churches, by other priests than those paid by the nation, and attached by name to the said church, or authorised by a private license of the Bishop. The letting of religious edifices for the celebration of any worship whatsoever, was authorised by means of certain formalities; the Dissenting chapels could not then fail to be multiplied, once that the temples of the nation were closed to the nonjuring clergy; nothing was better calculated to hasten the realisation of the schism. It was what

the first authors of the Civil Constitution above all dreaded. Treilhard and Camus claimed warmly in favour of the nonjuring priests the right to celebrate mass in all temples. They alleged that the refusal of the oath implied only the loss of the official function and stipend, but did not entail the loss of the general rights conferred by sacred orders. "The ecclesiastics," said Treilhard, "who were public functionaries and who have refused the oath, have become only ordinary ecclesiastics. Both have preserved the right to exercise everywhere ecclesiastical functions. It would result from this resolution, that contrary to its wish, the nation would be schismatic. You would have only a single worship paid by the nation, but there would be another worship." Treilhard wished thus, in some measure, to re-establish religious unity. What he demanded was unrealisable, as Sieyès proved in a bold reply; the two clerical parties could not meet at the foot of the same altars, without provoking scandalous strifes, the apparent right which they would have granted to the nonjuring priests to celebrate Divine service in the official churches, would have been a motive for their refusing to them the liberty of having religious edifices of their own. Doubtless, the measures of police to which the Directory submitted the opening of the new places of worship, were to be regretted; but the right remained intact. The Assembly, after a stormy discussion, soured by violent tirades of Maury, who never spoke with less dignity, sent back the resolution of the Directory to the Committee of Constitution; but it did not the less remain in operation whilst awaiting the legislative solution of the question, and it was in agreement with its prescriptions that the church of the Theatines had been opened by nonjuring priests. So, after the riot which closed it, these priests had for principal defenders, Talleyrand and Sieyès, who admirably established the true principles in what concerns religious liberty. Mirabeau was no longer there to sustain, with his powerful voice,

a cause which he had illustrated by some of the most magnificent bursts of his eloquence.

The first occasion of this new debate was the report presented by Talleyrand, in the name of the Committee of the Constitution, on the decree of the Directory of the department of the Seine. He strove to conciliate, in his speech, the two opinions which had been advocated before the Assembly, and to give a reason as well to those who wished that the refusal of the oath should not be a cause of exclusion from the celebration of the sacred offices in the churches of the State, as to those who, with the Directory, wished that the free exercise of worship should be granted to dissident priests. It was on this point especially that Talleyrand insisted; for the riot, which had closed the church of the Theatines, showed how much the people were still strangers to this first of liberties. "It is time that it should be known," said he, "that this liberty of opinion does not make in vain a part of the Declaration of Rights, that it is a full, entire liberty, a real property, not less sacred than all the others, to which every protection is due." Talleyrand showed that this liberty of opinion was illusory if it was not respected outside the official worship. Not only did it imply that no religious condition should be attached to the exercise of the civil functions, from the most humble to the most elevated, so much that the King himself preserved the full independence of his conscience, but also, "that it would be permitted to all private persons to assemble, for the celebration of any religious worship whatsoever, in an edifice of which they should have acquired the disposal, on condition of submitting to the laws." The orator rejected, with indignation, the sophism so often used, which reduces liberty of worship to inward liberty of conscience. "If it ought to be free to each," said he, "in the eyes of his fellows to have a religious opinion different from those of others, it is clear that it is equally free to him to manifest it,

without which he would eternally lie to his conscience; thence, evidently follows liberty of worship. And let it not be thought that we here combat fanaticism in order to substitute for it a culpable indifference. It is *respect* for conscience that we wish to render sacred. It is the triumph of true religion that we think to secure in leaving around it only means of persuasion, and in showing that it has nothing to dread from the competition of its rivals."

Passing to the deplorable facts which had just taken place at Paris, Talleyrand expressed regret that the people had not been prepared to respect religious liberty by an explicit proclamation of the great principles embodied in the Declaration of Rights; and whilst showing what this proclamation ought to have been, he cast severe blame on the violence of a mistaken multitude. Religious liberty had no meaning if it did not protect all dissident opinions, as well those of the nonjuring Catholics as those of the Protestants. The revocation of the Edict of Nantes, with all its bloody consequences, had been provoked precisely by those who would not have two worships and two altars. The inevitable effect of persecution must be to fortify the dreaded movement, for the hope of martyrdom always gives new strength to religious opinions. Talleyrand boldly declared that he attached no weight to the scruples of the priests who refused the oath; but after all, foolish as they were, these scruples existed, and troubled consciences. Violence ought not to be done to them through love for liberty, "which must be respected even in its most fiery adversaries." "It is necessary," added he, "that those who think, or who do not think us schismatics, may be able to call us such without fear, if that suits them; it is necessary, consequently, that the worship which they desire to celebrate apart, whether it differs from ours or not, be as free as every other worship; without that, religious liberty is only an empty name. We become

again an intolerant people, we justify all persecutions whatsoever. Let us say that this liberty, added to so many others, is one of those great benefits, by which our constitution will be every day more strengthened, and which will procure for it, sooner or later, the homage and gratitude of the human race."

The Abbé Sieyès, in the name of the Directory of the department, developed the same principles with his usual precision and firmness of speech, directing its sharp point against the Jansenists of the Assembly. He severely characterised the violences of the multitude, and refused the name of people those mischievous mobs which had threatened religious liberty. "Behold, then," said he, putting the question with his accustomed plainness, "citizens disturbed in their meeting; this meeting has a religious object; but does there exist a law which prohibits assemblies having a religious object, when moreover these assemblies are peaceable and without arms? We do not know such a law. The National Assembly has said to all: 'You shall not be disturbed on account of your religious opinions, you are subject only to the law. Your liberty is secured to you; rely on its being efficiently protected. Shall we tell you that opinions are free, but only in the mind, only when one is alone, or when there are but few persons?' But what then would the National Assembly have done more than what existed under the ancient *régime*!" Sieyès attacked one of the most frequent objections made to the full exercise of religious liberty, that which, to the reproach of the human mind, or rather of the French mind, so slow to be enlightened on this point, has come up more than once in our day in the judiciary or parliamentary debates. Religious liberty has been acknowledged, it was said, in 1791 as in 1864, but from thence to its public exercise there is an immense interval to be crossed, and it belongs to the legislators to regulate the practice of this right. "But," replied Sieyès, "between the National

Assembly which acknowledges religious liberty, and the citizens who, in consequence, avail themselves of this liberty, where is the interval to be filled? Can you say that in promulgating, in the most solemn manner, the great principle of religious liberty, your true intention was that people should be deprived of it until a new order? Can a liberty exist in principle and not in consequences? And what will the citizens enjoy, when you tell them that they are free, if it is not the consequences of this liberty, that is to say, the applications of the principle? Liberty would then be only a *depôt* of abstractions, the key of which the legislator would have reserved to himself, in order that he may give out little by little, and at his pleasure, some portions proper to the circumstances. If such is the liberty they wish to give us, it is not worth the Revolution." To those who objected that religious liberty is full of perils, because it agitates the minds of men, Sieyès replied that all liberty presents the same dangers. Besides, these perils increase with all the efforts that are made in the Assembly to oppose a universal toleration. This universal toleration is wished for so long as it benefits the worships to which they are indifferent, but it is restrained, refused, so soon as they are in presence of the worship, the free exercise of which offends the opinions of the moment. Then let them speak no more of religious liberty, and let them make a law of proscription which permits no more ambiguity. This law, the Ecclesiastical Committee will in vain prepare; it will in vain go forth from the initiative of this part of the Committee, "which seems to have seen in the Revolution only a splendid opportunity of making the apotheosis of the manes of Port Royal," the Directory will reject it as attacking the primordial rights inscribed in the Declaration of Rights. As a conclusion to this admirable speech, of which we have wished to give a complete idea, because it deserves to be re-perused in all the courts of justice in the empire, Sieyès

demanding "that the National Assembly should declare, that the principles of religious liberty which had dictated the decision of April 11th, of the Directory of Paris, were the same which they had acknowledged in their Declaration of Rights."

A parish priest who had resigned, and who wished liberty for himself, but not for others, deserved to be interrupted by the ironical laughter of the Assembly, when he exclaimed with the accent of an indignant prophet: "Behold the moment arrived! It is proposed to you to establish the abomination of desolation in the holy place. Flee the countries, formerly so Christian, where they now adore the god Baal. . . . Flee, flee, cross the mountains . . ." Despite this ill-timed sally, and the withdrawal of the right, who clearly showed this time that they dreaded, above all, the moderation and justice of their adversaries, the conclusions of the report of Talleyrand and of the speech of Sieyès, were voted by a large majority. The principles of 1789, on the fundamental article of religious liberty, were thus sovereignly fixed and interpreted by the National Assembly. Whoever does not admit it with all its consequences, and whoever distinguishes it from the full liberty of worship, can no longer appeal to them except in derision. Unfortunately, it was going to be with this right as with all the others, the revolutionary wave was about to pass over it and to cover it with its foam, but it does not the less remain as a rock rooted in the soil, in order to be one of the corner-stones of the edifice in the day of its definitive construction.

It may be readily perceived to what degree the National Assembly were in advance of the people of Paris, on whom they had, nevertheless, so many times leaned. Despite the noble discussion of the month of May, the Church of the Theatines, scarcely re-opened by the nonjuring priests, was invaded on the 2nd of June: the crowd dispersed the faithful, and destroyed the

altar. Lafayette had to come in person to quell the riot ; and Bailly wrote, in the name of the municipality, a letter of thanks to the battalion of the National Guard who had lent assistance to the law. In it he claimed respect for conscience, but in tame language, little calculated to act on the masses ; and condemned fanaticism under the banner of the Revolution, as well as under that of the Church. The men of 1789 are more and more powerless in their resistance to the passions of the people : they made too much use of them to stop them at their pleasure. Besides, they more or less participated in them, whilst respecting religious liberty in principle ; and it is with effort that they resist the irritation into which they are thrown by the clerical reaction. This last gains strength every day. It spreads like a fire over the whole surface of the country. It is not only the Catholic South, where it is so easy to awaken fanaticism, which resists ; it is also the calmer but more energetic North. Great disturbances broke out in the Côte-d'Or and the Pas-de-Calais. The Bishops of Gap and Senez courageously resisted every summons of obedience to a law which wounded their conscience. The latter took, at the tribunal of Castillon, the attitude of an ancient confessor. His firmness was much admired, and had an extraordinary influence over his clergy. He obtained the retraction of a priest who had taken the oath ; and he did not cease, from the depth of his exile, to direct resistance to the decrees of the Assembly.* In Finisterre, in Anjou, and Maine, the agitation of minds was not less great ; and in the first of these departments several priests were imprisoned for some days. Others were, under the slightest pretext, deprived of their ecclesiastical pensions.

The removal of the ashes of Voltaire to the Pantheon, effected with that mingling of theatrical pomp and silly sentimentality so

* Barruel, " Histoire de l'Eglise de France sous la Révolution," p. 71.

frequent at that period, was a new challenge of Revolutionary France to Catholic France. One of the motives alleged by the Assembly for decreeing these supreme honours to Voltaire was, that he had prepared the nation for liberty. They were about, too soon, to see what secret bond unites irreligion to despotism ; nevertheless the majority of the Assembly had the manifest intention of not overstepping the limits of moderation. Thus, when the Cardinal de la Rochefoucauld, Archbishop of Rouen, was accused of having interdicted some priests of his diocese for having taken the oath, it was decided that there was no ground for his impeachment,* after a short but smart debate, in which Cazalès entreated the Assembly not to take the first step in the way of persecution. It is true that the vote was justified some days after on the ground that the Cardinal de la Rochefoucauld had written his letter before having had official knowledge of the nomination of the new constitutional Bishop of Rouen. This was to announce to the nation that, for the future, no offence of this kind should pass unpunished. The brief of the 10th of March had been followed by several others, which circulated throughout France, and quickened resistance. In the sitting of the 9th of June, Thouret proposed to forbid, under penalty of civic degradation, the publishing any act of the Court of Rome which should not be confirmed by the Assembly, and promulgated by the King. This proposition, in its generality, was about to suspend the liberty of the press ; for it absolutely prohibited the manifestation of the thoughts of a whole party under their most solemn form. Regnault de Saint-Jean d'Angely rightly observed that what might be prevented was the publication of bulls under the title of laws of the country, but not as simple documents. Malouet professed this time again the most elevated liberalism,

* Sitting of June 8th, 1791.

amid the murmurs of the Assembly. "If you have mosques," said he, "you cannot hinder the muftis from instructing the true believers in their worship. Tyranny commences where the legislative body says, 'That portion of worship is legitimate; this is culpable.'" The Assembly decided that the interdiction proposed by Thouret should be restricted to public ecclesiastical functionaries. They thus kept themselves in their path of moderation, and were followed, in this course, by a few departmental administrations. Some sisters of charity had manifested opposition to the new *régime* in the department of the Côte d'Or; the people had threatened them. The Directory undertook their defence; but, whilst leaving to them the care of the sick, it forbade them the work of instruction, which was a public function. The minister of the interior wrote them a sensible letter, in which he asked them to leave to those whom they tended the same liberty which they claimed for themselves.*

The flight of the King, which took place at the end of June, rendered moderation impossible: the revolutionary passions became irresistible. It was much noticed, in the manifesto designed to explain his departure to the French nation, with what emphasis it dwelt upon the pressure which had been exercised upon him in religious affairs. "On recovering from his illness," it said, "the King was disposed to go to St. Cloud. They availed themselves of the reverence which they knew he cherished for the religion of his fathers, in order to arrest him. Then he was obliged to order the removal of his chapter, to approve the letter of the minister to the foreign powers, and to go to the mass of the new parish priest of Saint-Germain l'Auxerrois."† Thus the alliance between the counter-Revolution and the nonjuring clergy became more

* "Moniteur" of the 17th of June, 1791.

† "Moniteur" of June 22nd.

and more evident before the Assembly. It is not astonishing that the clerical opposition should have excited more uneasiness and anger from the day on which the fugitive King had openly espoused its cause before France and the foreigner. An obscure deputy named Legrand, in an alarming report on ecclesiastical affairs, presented the 4th of August, invoked the safety of the people, that is to say, the democratic State reason, in order to suspend the laws of justice and liberty, and thus crush the resistance of the refractory clergy. He ventured to propose, before this great assembly which had voted the rights of man, to constrain all the nonjuring priests of the departments of the Nord and Pas-de-Calais, particularly agitated at this moment, to withdraw to thirty leagues from these departments, under penalty of imprisonment and privation of stipend. This was to open the era of proscription *en masse*. Maury arose immediately, and ironically saluted the Assembly in retiring. The moment had not yet come for such measures; it was necessary to await a new legislature. The men of 1789 could not contradict themselves in a manner so iniquitous, despite the impulse of their passions, and the pressure of the popular fury. The proposition of Legrand was sent to the Ecclesiastical Committee, and to that of Investigation, with which was joined the Committee of the Constitution. It was not to reappear till under the Legislative, but then with singular aggravation. The Constituent bequeathed to it likewise a measure which was only sketched, but which was to realise one of the most liberal and useful of reforms. It was the separation of civil and religious cats. So long as it was not executed, religious liberty was without security. They satisfied themselves with admitting the principle on the proposition of Bailly and the municipality of Paris.* The last day of September, 1791, the Constituent transmitted its

* May, 1791.

powers to that stormy Legislative which was to carry away the monarchy, and to found the republic on the ruins of liberty.

Let us not be unjust towards the great Assembly, which, in a society full of abuses and prejudices, had to lay the foundations of a new order. Assailed with all sorts of difficulties, a prey to the contrary passions which caused mutual exasperation, placed in face of a royalty which it mistrusted, urged on by a people ignorant, but weary of their yoke, and impatient to humble those who had so long crushed them, it had to touch on all questions at once, to resolve them under the goad of the most pressing necessities, under the fire of the hottest strifes. It was not possible that, in such conditions, it should raise a durable edifice; for it too often made laws, as one erects batteries, against the enemies of a day. The true constitutionalists—those who wished to maintain liberty and power, and to connect the future with the past—had no chance of succeeding in so violent a crisis. Mirabeau, who in reality thought as they, had to compensate for his reasonable speeches by the impetuosities of the tribune. It must also be confessed that the provocations and intrigues of the right rendered wisdom very difficult. In such circumstances, the school of Rousseau had fine play for its absolute principles, its bold theories, its democratic tumult which permitted arbitrary measures, and its very marked tendency to sacrifice liberty to equality. Although restrained by the English school, and by the superior talents of its opponents, it contributed largely to push the Revolution to extremes, and to take away from the governmental machine the counterpoise without which liberty is incapable of resisting the transport of the passions. Allied to Gallican Jansenism, it impelled the Assembly into its greatest faults in ecclesiastical matters. After having restrained religious liberty in the Declaration of Rights, despite an incomparable speech from Mirabeau, the Constituent were still further wrong in voting the *régime* of

the payment of worship, and organising a functionary clergy. They sought to subject the clergy to the government by the Civil Constitution and by the oath ; they carried constraint even into conscience. It was thus that, in the very temple of liberty, the old idol of the State had been replaced [on the altar by legislators who thought themselves bold innovators, and who were resuscitating the most worn-out pretensions of the ancient monarchy. They had at least proclaimed liberty of conscience outside the official worship ; but the people did not wish it ; and it was going to disappear in the tempest which was already howling, and which was to carry away both throne and altar. Nevertheless great rights had been invoked. A generous enthusiasm, mingled, doubtless, with imprudent fits of anger, had animated this great assembly. It is to it, in the issue, that every development of liberty in this country will ever re-attach itself ; for, if it has compromised all, it has caught sight of all, and nothing will ever replace the patriotic flame which devoured it. A terrible winnowing, moreover, was about to separate the chaff from the good grain. The exposure of its errors on the relations of the two powers was quickly to result, with irrefragable evidence, from the conflicts which it had prepared.

BOOK II.

THE LEGISLATIVE AND THE CONVENTION TO THE PROCLAMATION OF THE SEPARATION OF CHURCH AND STATE.

Chapter i.

Religious Strife under the Legislative Assembly.

THE Constituent had maintained, unto the end, the principle of liberty of conscience ; but the Declaration of Rights was a very insufficient check to restrain a country agitated by religious strife. What could the abstract idea avail against boiling passion? Let us not forget, besides, that if the Constituent had remained faithful to the liberal idea, it had only too much submitted to the influence of popular passion, and had helped to unchain it by the most grievous measures. Nevertheless, the men of 1789 could not contradict themselves so far as openly to suspend religious liberty. They were to defend it in the few rare positions which they had preserved in the Directory of Paris and in the Legislative Assembly, where they formed only a weak minority; but their resistance was to be neither very long nor very efficacious. The fatal theory of the public safety, which is as the plenary indulgence of politics, more fatal even in democratic societies than in absolute monarchy, was about to annul, for a time, the most precious conquests of the Revolution. Violent hands were preparing to throw the veil, of which Montesquieu had spoken, over

the statue of liberty, although it had been only just placed on its pedestal, and this pedestal had been transformed, for a moment, into an altar, to such a degree had the New Assembly shown an idolatrous attachment to the Constitution of 1791. It was soon seen of what worth were those homages, so solemnly expressed on the day when Camus, the keeper of the records, placed on the tribune the book of the law of the French people. The rude insolence which the Legislative Assembly, from its outset, showed to the King, was a violation of the spirit of the Constitution; for, to humble a royalty already rendered so dependent, was, in fact, to suppress it. The want of regard and respect inflicted on it a sort of moral forfeiture. The other articles of the Constitution were not to be more respected. It was because, in reality, the question for the Legislative Assembly was less of governing and founding than of combating and destroying. Composed in great part of new men, the most of them very young, who had signalled themselves by their revolutionary ardour, and had been brought by their administrative functions to struggle with the reaction in the departments, it was born in a day of anger and defiance. It had received from the passions of which it was the daughter, the formidable command to beat down all that was an obstacle to the Revolution, and first and foremost the religious resistance which was being organised on all sides, and assuming frightful proportions. Urged by its own inclinations towards this declivity of democratic arbitrariness, it had, in order to hold it back, neither the ascendancy of the great orators and great politicians of the Constitutional party, whom an imprudent measure of the Constituent had put aside in order to replace them by mediocre men, nor a compact right opposing the greatest names and highest positions of the country to radical measures. On the right was seated this phantom of the Constituent, without influence and almost without talent. The centre, without settled convictions, belonged to the strongest party, and was by its inert

weight to precipitate the march of the violent. Royalty, hesitating and tottering, passed from concessions wrested from its weakness, to resistances which served none but its adversaries; for they lasted until the revolutionary waves acquired an irresistible force in hurling themselves against the obstacle. A senseless press, which was subject to no penalty and could proceed to the last excesses against persons; riot permanently organised and mistress of the galleries in the hall of Assembly; debates of the clubs becoming ever more stormy; the intoxication of the combat in the two camps; the constant suspicion of treason in high places, and plots among the low and everywhere; what was wanting to such a situation to make the strain beyond measure?

It may be said that for the left of the Legislative Assembly nothing was a curb and everything was a goad. The left, it is known, was, in the Legislative, the brilliant group of the deputies of the Gironde, behind whom appeared already, as their natural heirs, the future Mountain, who were then separated from them only by a more rude energy, a more cruel temperament, and habits more foreign to polite society. We shall see, that in the religious strife, the Girondists have shown as much violence and injustice as their enemies; and if they have not raised the political scaffold with their own hands, they, at least, prepared its first steps by the measures of proscription which they voted. It is certain that they sacrificed right and liberty to reasons of State. Now, this is the fundamental point of the political catechism of the Mountain. Their eloquence, their youth, their easy generosity, mingled with so much harshness towards the conquered party, above all their courageous death, cast an illusion over their faults. We must not view them solely in their last and noble attitude; for this liberty, which their proud heroism invoked in their last hour, they had too often denied in their political career, and even they had, under this deceitful name, hurled laws of proscription.

They had wished to found liberty by arbitrary power—a sure means of ruining it and themselves—by leaving it, bloody and stained, to barbarous hands, which were long to dishonour it. Docile and passionate disciples of an incredulous age, they were about to carry into the repression of clerical resistances all the prejudices of a materialistic philosophy, incapable of respecting God in the human conscience. They gave to the world the shameful spectacle of Voltairian persecutors. But let us not forget all that tends to excuse them, all that was likely to exasperate the contest, all that complicated it by mingling the saddest reactionary passions with a holy cause, for, in the confessors who fill us with admiration, we recognise emigrants allied to the foreigner, and intriguers prepared to make capital even of martyrdom.

Let us give a rapid sketch of the situation of the country in its religious aspect at the opening of the debates of the Legislative Assembly. The taking of the oath and the replacing of the nonjuring priests continue to provoke an agitation more or less formidable according to the departments. At one time it is the party of the Revolution which is the strongest, and then the refractories underwent every kind of ill-treatment; they make them wait for, or even refuse to them, the payment of their pensions. At another time it is the sworn priest who is hunted with throwing of stones; which happens in communes where he has found only a few electors to nominate him. The refractory priests have preserved the right to say mass in the churches of the Constitutional clergy; they can also rent places for celebrating their worship after a declaration made to the municipal authorities, but they are constantly balked of their rights, by the shameless violences of which they are the object, and which became for them the occasion of new persecutions, for the very disturbances of which they are the victims, are imputed to them, and the explosions of public anger

against them are laid to their charge. If in the rural districts they often preserved their old ascendancy, in the towns they are at the mercy of popular tumults. One would have thought that, at Paris, they would have met with more toleration than in the departments, inasmuch as they had the whole Constitutional party in their favour. Lafayette, before resigning the general command of the National Guards, earnestly recommended, in his farewell proclamation, respect for religious liberty. "Liberty," said he, "would never be sufficiently established among us, if the intolerance of religious opinions, covering itself with the mantle of, I know not what patriotism, should dare to admit the idea of a dominant and a proscribed worship."* The Directory, persevering in its line of conduct, published a very resolute proclamation after an odious aggression of the populace which had invaded the Irish College, in the street of Carmes, in order to prevent the celebration of the nonjuring worship, thus at once offending civil liberty and the rights of hospitality, as stated in the proclamation. The Directory declared that the few measures of precaution which it had decided upon for the celebration of worship, were not applicable to an establishment founded by foreigners, and it recommended to the municipality "to watch, that for the future, no blow should be inflicted on religious liberty, nor on the right which every individual has of practising in his own way, and of causing to be exercised, by whomsoever it pleases him, the religious worship which he judges fit to prefer, whatever the worship be, so long as he does not disturb the public tranquillity.† The municipality was animated by quite another spirit, and much disposed to minister to the passions of the people of the suburbs. Instead of conforming themselves to the decree of the Directory,

* "Moniteur" of October 11th, 1791.

† "Moniteur" of the 17th of October.

made in April, they had the presumption to put each place of worship belonging to the nonjuring priests under the surveillance of the Constitutional parish priest of the quarter. It was only on this condition that they had permitted, in the month of October, the re-opening of four new churches. Such an authorisation was a mockery and could not be honourably accepted,* for the dissident Catholics were by no means disposed to admit this high jurisdiction of the clergy from whom they had separated.

Street violences were renewed every day, and cowardly attacks were made on the feeble and unarmed. At the college of the Irish, women were whipped on leaving the church. At the seminary of the Irish, a woman was brutally torn from the confessional. The house of the English ladies at the Jardin des Plantes was the theatre of similar scenes. The municipal police interfered only to give satisfaction to the populace by closing the attacked churches. A magistrate, with whom a complaint had been lodged, confined himself to saying that the people *were not ripe*. In consequence of these outrages, the Catholics of Paris not attached to the new worship sent to the King an address to represent their sad condition. "Sire," said they, "the Catholics of Paris see themselves for more than six months exiled from their temples, deprived of their worship, a butt to all the outrages of fanaticism, without their having been able to obtain a hearing for a single grievance. Disciples of a Master who, dying on the cross, prayed even for His executioners, children of a religion whose first law is love, and whose first boon is peace, they thought it their duty at first to stifle their complaints, and to concentrate in themselves the bursts of their grief; but now, when the promulgation of the Constitutional laws should calm the effervescence of minds, we venture to speak to you of

* "Moniteur" of the 22nd of October.

our rights to the common liberty, and to demand the protection of the laws for the exercise of our worship. We desire and wish only peace; the constitution of the kingdom gives us rights; it is time that we should be able to enjoy them." The petitioners were wrong in not being content with the free exercise of public worship, but in demanding also that the State should gratuitously abandon some temples to them. That was to leave the ground of the common right and to weaken their just claims.*

In the departments the attitude of the nonjuring clergy was bolder, because they were often sustained by the population. We may be convinced of it by reading the report drawn up by Gallois and Gensonné, who, since the month of July, had been sent by the National Assembly on a mission into the west of France.† They found La Vendée well disposed to submit to the new *régime* in all that did not concern religion. "This people," said they, "withdrawn from the common centre of all resistances, disposed by their natural character to the love of peace, to the sentiment of order, to respect for the law, reaped the benefits of the Revolution without experiencing its storms. Nothing then was easier than to attach them to the constitution, if their very lively and tenacious religious faith were respected. Their religion has become for them the strongest, and, as it were, the only moral habit of their life." Not knowing how to distinguish between religion and the priest, they believed that their faith was torn from them, when they saw carried off the men whom they regarded as the only mediators between earth and heaven. They attached themselves to them with a sort of wild affection which might easily lead them to revolt, transformed in their eyes into a sacred duty. The nonjuring priests did not fail to keep up these dis-

* Theiner I., p. 336.

† Dating of the 9th of October, 1791.

positions. The ancient Bishop of Luçon multiplied pastoral letters to preserve the true faith. In a letter dated from Luçon, the Bishop forbids his ancient clergy to cross the threshold of churches profaned by the priests who had taken the oath, and invites them to open new places of worship. "In parishes," writes the Bishop, "where there are but few rich proprietors, it will be difficult without doubt to find a suitable place, and to procure sacred vessels and ornaments: then a simple barn, a portable altar, a cotton chasuble, pewter vessels will suffice, in this case of necessity, to celebrate the holy mysteries and the Divine office. This simplicity, this poverty, by recalling to us the first ages of the Church and the cradle of our holy religion, may be a powerful means to excite the zeal of the ministers and the fervour of the faithful. The first Christians had no other temples than their houses." The Bishop ordained that they should keep secret registers for the acts of baptism, marriage, and burial; that when they could not dispense with carrying the body of the deceased to the cemetery of a parish delivered to a priest who had taken the oath, they should take care to retire with precipitation, as soon as he should defile the holy ground with his presence, and that, in short, every priest, driven from his parish, should establish himself in the neighbourhood to offer the help of his ministry to his former flock. Zealous missionaries, established in the centre of the country, travelled over it in every direction to preserve fidelity to the proscribed worship, and they distributed profusely popular catechisms which announced the most terrible judgments of heaven on whomsoever should be on terms of agreement with the intruders. No marriage blessed by them was valid, and every ceremony in which they had officiated was no more than a sacrilege. These instructions bore their fruit: families were profoundly divided, and municipalities broke up in order not to lend themselves to an act so abominable as that of presiding at the

election of an intruder. The replacing of the ancient clergy had been very slow and incomplete. In all the communes where it had been effected, the irritation of the people was profound ; the adherents of the refractory priests could not see, without indignation, the ancient and venerable Church delivered to a minority, low and even infamous in their eyes, whilst they were condemned to journeys of several leagues to celebrate their worship. On Sundays and solemn feast-days, entire villages and market towns were seen deserting their hearths. It may easily be imagined with what bitterness the peasants would return in the evening, harassed by fatigue. The agitation of the country had appeared so alarming to the Commissioners of the National Assembly that they had judged it well to support their exhortations on the excellence of the Civil Constitution of the clergy, by quartering troops of the line in the most exasperated parishes. But the best soldiers, even commanded by Dumouriez, could not restore tranquillity.* There was need not of soldiers, but of liberty. The Commissioners had found the department of Deux-Sèvres all in a blaze ; civil war would not have failed to burst out immediately if they had listened to the excited revolutionists, who demanded that all the refractory priests should fix their residence at Niort, thereby anticipating one of the most grievous measures of the Legislative.

Gensonné and Gallois had the good sense to oppose this senseless project. They assembled the fifty-six municipalities of the district of Chatillon, and were quite astonished at the moderation of these peasants who had been represented as factious. They simply asked that their parish priests should be left to them. "There is still one point," say the reporters, "on which all the inhabitants of the country are united : that is, liberty of religious opinions which," they said, "had been granted to them, and

* See the second volume of the "Memoirs of Dumouriez," p. 126.

which they desired to enjoy. The same day, and the day following, the neighbouring country places sent to us numerous deputations to reiterate to us the same prayer. We solicit no favour," said they unanimously, "but that of having priests in whom we have confidence. Several amongst them attached so great a value to this favour that they assured us they would willingly pay, in order to obtain it, the double of their tax. These very men, who had been represented to us as furious, deaf to every kind of reason, have left us with their souls full of peace and happiness, when we have made them understand that it was in the principles of the New Constitution to respect liberty of conscience." These words of one of the chiefs of the Gironde contain the severest condemnation of all the measures of the Revolution; in ecclesiastical affairs they prove that civil war could have been avoided by a loyal practice of the Constitution. What a condemnation for every kind of measure of public safety! Let us acknowledge that if they violate right they preserve nothing, security no more than honour.

Whilst La Vendée was preparing for insurrection, analogous causes were bringing about the same effects on other points of the country. At Montpellier the populace had disturbed the celebration of the mass by a nonjuring priest in one of the churches conceded to both worships. The Catholics had repelled these scandalous attacks by uttering this single cry: *Opening of the Churches! Liberty of worships!** That was to appeal from the Revolution furious, to the Revolution wise and liberal, from that which spoke in crossways and clubs, to that which, by the voice of Mirabeau, had proclaimed universal toleration. Unhappily, whilst the Catholic populations were sincere in the vindication of this great principle, and were sustained by a considerable number

* Sitting of the 17th October, 1791.

of courageous priests who exposed themselves on their account to all perils, the chiefs of the royalist party outside were seeking to take advantage of the agitation of consciences. They thought only of restoring the ancient *régime*, and of reviving with it, those same persecuting principles which they so indignantly condemned when they were turned against themselves. We have a striking proof of this anomaly in a memorial of the Abbé Maury to the Holy Father on the decisions which he ought to take with regard to the Church of France. This curious document, although of a date a little later than the opening of the Legislative Assembly, clearly reveals the true thought of the leaders of the Catholic party, at the moment when the simple combatants, who were not in the secret of their chiefs, were covering themselves with so unsullied a glory by suffering and dying for liberty of conscience. This liberty is cynically disowned in the memorial of the fiery and incorrigible Abbé. He openly claims the reconstitution of all the privileges of the ancient Church, the restitution of its properties, the abolition of all the precautions taken by the monarchy against the possessions of mortmain; the sanction of the most detested abuses, and first and foremost the maintenance of the revocation of the Edict of Nantes.

We read in this memorial the following words:—"A great King whom every one recognises under this title, Louis XIV., who had so well studied the spirit of his nation, had learnt, by the disasters of his predecessors and by his personal experience, that the French character could not be allied with the public exercise of two parallel religions, and that for them it is in some sort with the unity of a national worship as with the unity of the Supreme Being. That is to say, if it is wished to admit several, there is no longer any." Maury declared that the participation of the Protestants in the French Revolution, justified the revocation of the Edict of Nantes, and that it was necessary to return to the tradi-

tions of the great reign by treading underfoot a vain philanthropy. He proposed nothing less than to withdraw civil rights from the reformed, and demanded their being put outside the law. This fine scheme was to be flanked by a bull of excommunication against the philosophers and Jansenists. This is what the counter-revolution ventured to propose: surely it showed itself as exaggerated and foolish in its way as its most violent adversaries did in theirs. His counsels were not ill-received at Rome. The Pope did not content himself with defending, according to his right and duty, the great maxims of his Church; he decidedly constituted himself the chief of the reaction in Europe, and boldly declared himself conjointly responsible for the ancient *régime*. Already we have seen him strike, with his anathemas, not only the Civil Constitution of the clergy, but also the elementary principles of social justice and political liberty. He was unhappily surrounded by an absolutist *Camarilla*, which was pleased to confound the most just with the most wicked cause. In the commencement of this year, 1791, the Chevalier d'Azara, ambassador of Spain, had caused to be conveyed to him a confidential memorial by the Cardinal de Bernis, who was on the eve of being replaced as ambassador of France by a moderate representative of the Revolution. This memorial strongly counselled the Court of Rome to refuse to admit the Count de Ségur into the diplomatic body, and thus openly to break with the new *régime*. The Chevalier d'Azara sought to establish a complete joint responsibility (*solidarité*) between the Papacy and absolute monarchy. The temporal power of the Holy See is represented by him as the bulwark of uncontrolled monarchy and the rampart of the Catholic faith. Once that this temporal power is set aside, the Revolution will be everywhere triumphant.*

* "The destruction of the temporal dominion of Rome would open a way easy enough to subvert the other nations."—Theiner I., p. 314.

Now, at Rome, to receive a representative of the Revolution, is to receive a missionary of anarchy, an agent of the impious revolt which wishes to attack the temporal power of the Holy Father as the sacred shield of his sovereignty. The enterprise appears easy in face of a disarmed royalty, and it is well known that the effect of it will be universally felt. If the Holy Father baffles this intrigue by a positive refusal, all princes will comprehend that he is their defender, and a holy league will be formed for keeping off the cursed contagion of the Revolution.*

Such were the counsels listened to at Rome. The prejudices born of temporal power were already weighing in a grievous manner on the decisions of the chief of Catholicism. He was not content with being the father of the faithful, the defender of religion, but remembering that he was a sovereign, he espoused the cause of the kings, his brethren, against the people. The religious question lost its simplicity by becoming mixed with political considerations; the interests of caste were mingled with the holy resistances of conscience, and the Revolution thought itself justified in all its violences against the religious dissidents, because it saw in them the champions of absolutism and the allies of the foreigner: which was not true except of a certain number amongst them. We are, besides, never authorised, either in morals or in politics, to commit the same faults as our adversaries, for there are no surer means of losing our advantages. It is of moment to take account of this position, so complicated, in order to comprehend the great debates which were opened in the Legislative Assembly on the occasion of the religious disturbances; unfortunately the right was not free from alloy on either side, and each party found in the grave wrongs of the contrary party a specious excuse

* This curious piece, of which the text is Italian, is in the first volume of Theiner, pp. 313—319.

for its own errors. The only really great thing in these deplorable circumstances was, that humble martyrs, priests, monks or peasants, strangers to political intrigues, suffered and died solely for their faith.

The Legislative Assembly had scarcely commenced their labours when they received the news of the massacres of Avignon. They thus learned that a *régime* of terror was inaugurated in the South, in the centre even of those religious agitations which had first occupied their attention. We have related how this Pontifical boundary was annexed to France, after long discussions. But a decree of the Assembly was not sufficient to extinguish the fire of contrary passions over-excited and heated in the sun of Provence. At the end of a rash enterprise, provoked by the rivalry of the two parties who found themselves in presence of each other at Avignon, Lecuyer, one of the chiefs of the army which defended the Revolution, had been put to death in the Church of the Cordeliers. The furious people had thrown into prison more than a hundred persons, men and women, accused of opposing the new *régime*. Crammed into the ancient palace of the Popes, in a low and obscure nook called the Glacière, they had been there massacred on the 6th of October, by a horde of brigands, at the head of whom figured a man well known for his cruelty; this was Jourdan, since surnamed *Coupe-tête*. This assassination was accomplished with an unheard-of barbarity, and a red streak was to preserve the trace of it on the wall, as if to render visible to posterity that bloody stain which the hand of the murderers can no more wash out.* We comprehend the horror which the recital of such crimes would produce in the Legislative Assembly. The deputy Lemontey could not read to the end this tissue of horrors, and it was necessary for Isnard to take his place. Nothing was more urgent than the chastisement of these hideous in-

* See the "Moniteur" of the 18th November, 1791.

augurators of the Terror. Nevertheless, the Gironde endeavoured to save them, and succeeded therein to its dishonour, thanks to a miserable legal objection. The National Assembly had decreed, on the 23rd of September, 1791, a general amnesty for all political offences; this decree could not cover the crime of Jourdan and his accomplices, which took place more than a month after. In order to give them the benefit of a measure, evidently barred by limitation, the orators of the left pretended that the union of Avignon to France, having not been really proclaimed until the 8th of November, the crimes committed within the territory prior to this date were covered by the vote of the National Assembly, an unworthy subterfuge, which was only a party blow designed to maintain the Gironde at the head of the Revolution, and which was to be an encouragement to the overflow of the revolutionary frenzy! Vergniaud committed the unpardonable wrong of lending his magnificent eloquence to this execrable cause. He had indignation only against the nobles and priests who had fanned the flame of discord at Avignon; that is to say, that he struck only at the victims. "Let not executioners," said he, in closing his speech, "be the first present that you make to the Avignonese." He forgot that there is something worse than raising a scaffold for great criminals; it is to sharpen the poniard of assassins by a scandalous impunity. He succeeded in carrying the Assembly, and the amnesty of the 19th of March, 1792, was an encouragement to the murderers. The effect of it was seen in the month of September of the same year.

Such a decree gives the measure of justice which might be expected from the Legislative Assembly in all questions remotely or nearly touching religious contests. Everything impels them to arbitrariness and tyranny. Meanwhile, the inextricable difficulties in which they are more and more embarrassed, and from which they at moments free themselves only by odious abuses of power,

sometimes cause the true solution to spring out of the debate. By dint of gathering the bitter fruits of the signal mistake of the Constituent, candid minds, too sensible to allow the smoke of the combat and the fury of the struggle to obscure their vision, perceive that a false course has been taken in wishing to constitute a civil religion, and that they have carefully prepared all the conflicts which profoundly divide and agitate the country. This opinion, which is timidly expressed in the Assembly, is stated in the "Moniteur" with as much clearness as vigour, by an illustrious poet, the honour of French literature at that period before being one of the noblest martyrs of liberty. André Chénier comprehended it too well, and served it too courageously to be forgotten by the Terror. By a flash of genius he discovers in succession the cause of the religious agitation which drove some to the most insupportable tyranny, and others to civil war. This cause, this ferment of the most dangerous contests of the moment, was, in his eyes, the blending of the State with the affairs of religion. André Chénier was not a believer; he thought and spoke as a philosopher, and even strained his language a little in order to be comprehended by those to whom he addressed himself; but he showed much more respect for conscience, and for the most sacred beliefs of the soul than those Catholics, as blind as they were zealous, who sought only a different application of the social principles of which they were then the victims, and which they would have found excellent if they had served their opinion. "It is time," said he, "that the public mind should begin to be enlightened on this matter, as it has already become on others; and the Constituent Assembly seems to have done enough for that, since it has given to us the example which it is necessary to avoid, and that which it is necessary to follow. The truly religious zeal of some, and the indifference of others, precipitated it into the idea of making a Civil Constitution of the clergy; that

is to say, of creating one clergy after having destroyed another." The Directory of Paris, by Sieyès and Talleyrand as their spokesmen, had done what it could to eliminate the fatal consequences of this measure, by proclaiming the most complete religious liberty. Nevertheless, these great principles are trodden under foot every day by blind hatreds, which tend to nothing less than a general proscription of all the nonjuring priests, a sure means of transforming conspirators into martyrs, by confounding in them the man and the priest, and by making all their speeches appear as a part of doctrine, all their actions as functions of the Ministry. "Is it by creating a body of priests, who shall be able to call themselves persecuted, that it is hoped to render them little formidable? Does not a common and indiscriminate chastisement tend to form rather than break up a league? Is it in giving by a law a sort of approbation to these infamous brutalities, of which Paris was again witness a few days ago, and which shame a civilised people, that it is hoped to raise all classes of the nation to that spirit of dignity and respect for the rights of others, without which there is no liberty; and must it be left to the malevolent to say that in France all religions are permitted except one? What does it matter that in reality this religion differs from another or not? Does it belong to the National Assembly to unite sects and to weigh differences?"

André Chénier rightly reproaches the Legislators of the National Assembly with having shown themselves more fit to be theologians than legislators. They had thus compromised the public peace by furnishing an occasion of intrigue and revolt to the factious priests, whom the eloquent writer did not spare, in order, doubtless, to gain an entrance, by these bitter words, for the great truths which they embodied. He spoke in the light tone of his age, of religion, and the Gospel, in which each one finds, according to him, all that he seeks for; that did not prevent him from

rising, in concluding, to all the heights of the true principles on the relations of Church and State. "We shall be delivered," said he, "from the influence of such men, only when the National Assembly shall have secured to each entire liberty to follow and invent such a religion as it shall please him, *when each shall pay for the worship which he shall wish to follow, and shall not pay for any other*; and when the tribunals shall punish with rigour the persecutors and the seditious of all parties. And if some members of the National Assembly still say that all the French people are not sufficiently ripe for this doctrine, we must answer them, 'That may be; but it is for you to ripen us by your conduct, by your speeches, and by your laws.' In a word, priests do not trouble States, when statesmen do not concern themselves with them; and they always trouble them when they do concern themselves with them, in whatever manner they concern themselves." André Chénier appealed to history, which affords proof that priestly enmities become causes of mortal agitation for the countries where they run riot as soon as they have succeeded in arming themselves with the public power; it matters little what mask or name they assume, whether it be Roman or Constitutional. He demanded, in fine, "that, in order to secure full religious liberty for all citizens, they should hasten to make a law by which no civil act should any longer have anything in common with the ecclesiastical ministry, and that the Assembly should stifle, by non-interference, the quarrels of priests, instead of taking part in them." This non-interference was, in reality, the greatest mark of respect which a political body could give to religion.* Behold us very far from Bossuet and Rousseau. On that day the poet was truly a *vates*—a prophet. Unfortunately, he was not himself in the Assembly to defend these great ideas, which alone could effect,

* "Moniteur" of the 22nd of October, 1791.

through liberty, the reconciliation between the Church and the State. We are about to see them timidly defended, and yet incessantly brought up again before the country, by the growing complications of religious strife.

The question of the nonjuring clergy was constantly in the order of the day of the Legislative Assembly; the disturbances which broke out in the departments brought it up almost every day; it was each time resolved with a severity so much the greater that the King opposed increased resistance to the violent decrees fulminated against the refractory. Everything combined to excite men's minds. The emigrants were openly preparing to make war on the Revolution, and it was evident to every one that they had their surest ally in the nonjuring clergy. Thus, every time that the Revolution inflicts a blow on the emigrants, with the back of its hand it strikes the dissident clergy. The exceptional measures provoked against the French who had left the country, are, in a manner, a two-edged weapon, and correspond to measures not less violent against the ecclesiastics who refused the oath. From the opening of the session, the two questions were mingled in an inextricable manner. Meanwhile, the first debate on the refractory priests did not give a presentiment of the iniquitous measures to which they were soon to suffer themselves to be driven. Nothing indeed, with a single exception, is more tame and confused than this debate. The great voices of the Constituent are no longer there, and the most distinguished orators of the Legislative still hold themselves in reserve. The struggle takes place between mediocre men, whose speech has neither flame nor splendour, although it is often full of gall. The Assembly is, besides, still inexperienced; the most ridiculous propositions are multiplied, and discussion floats at hazard without being able to take up with anything precise; it does not cease to be enlivened by motions of the most highly-comic character, as

that of Jean-François Duval, who, after having proclaimed himself a child of nature, noble by the favour of his plough, as *the oxen, pure and incorruptible witnesses* of his labours could prove him, proposes that every nonjuring priest, who shall not have promised an entire submission to the laws, should be bound to carry on his vestment, at the height of the left breast, a writing bearing these words :—*Priest suspected of sedition.* Ridiculousness did not prevent violence, for imprisonment and exile were to be inflicted, according to the witty ploughman, on every ecclesiastic who should not have made an act of implicit submission to the civil authority.*

The question which at once presented itself with perfect clearness, was that of knowing if the Constitution should be suspended in order to strike and crush the dissident clergy, if, not content with refusing to them liberty of worship, they should withdraw from them the rights acknowledged to all citizens. The question was then, of deciding whether to found liberty by liberty, or to give to it the most odious arbitrariness for security. The too-famous Couthon provoked the debate, on the 7th of October, by a sort of cry of fury against the refractory clergy. He already insinuated that the forms of justice should be departed from, for the reason that it would be difficult for them to procure proofs against the rebellious priests in the countries submissive to their influence. A week later, an unknown deputy, Lejeune, stated precisely the vague accusations of Couthon, declared that the Constitution had no worse enemy than a seditious and fanatical priest, and that they should concern themselves only with the dangers which he caused to prevail in the country. "It is not a question of religious liberty," said he, "but of the safety of the

* Sitting of the 26th of October, 1791.

State." Lejeune took care immediately to show that such a principle opened the door to all arbitrary measures, for he proposed that the nonjuring ecclesiastics should be obliged, within the fortnight, to fix their residence in the chief town of their department. A Constitutional bishop had the sad honour of following the preceding speaker in the path of intolerance, by substituting a fiscal penalty for restricted residence. Fauchet had a certain flow of words which was taken for talent, even at the Court, where he had preached with success in his young days, and which was connected with a fiery temperament. He had signalised himself in the clubs by an attitude very little suitable to his position; his revolutionary enthusiasm had designated him to the suffrages for the Constitutional bishopric of Caen, and had led to his nomination to the Legislative Assembly. He carried thither the ardour of a fiery democrat and the sourness of a priest opposed in his own diocese. He was not a wicked man, but he had been spoiled by the clubs, and, wanting in liberal and elevated views, he passionately followed the impulse of the moment. The orator preserved no measure in his invectives against the refractory clergy. He declared that liberty was not compatible with fanaticism. He soon furnished the proof of it by giving the reins to his own revolutionary fanaticism, and by demanding unjust measures against his former colleagues, whom he thus characterised: "*In presence of these priests, atheists are angels.*" Fauchet demanded that all the ecclesiastical pensions granted to the nonjuring priests should be suspended, under the pretext that they ought not be paid for rending the country, that by conspiring against it they had lost all right to its gifts. That was to rend a contract placed under the safeguard of the public good faith and to accumulate, in a single decree, the gravest injustices. Fauchet reckoned that poverty would be right to the recalcitrants, and he said, ironically, "As for those who will remain shielded in their pretended

conscience, hunger will soon chase these wolves from the sheep-fold, where they will no longer find anything, and the inhabitants themselves will be tired of paying for a worship which they could have for nothing, and which they could have more advantageously and more majestically in the churches appointed by the nation." Sad language in the mouth of a bishop who had something better to do than to speculate on the lowest sentiments of human nature! Happily, for the honour of this nature, this calculation is always found false; conscience is no more bought with gold than it is bent before the sword. Fauchet was mistaken in date in pronouncing his speech; he had uttered it too soon; he excited the indignation of a great part of the Assembly. They justly reproached him with having preached vengeance in the name of the Gospel.

Torné, Bishop of the department of Loire and Cher, took upon himself to refute him; he was much applauded when he appealed to the great principles of religious liberty in favour of the refractory clergy. "Let us guard," said he, "against considering as a political crime the errors of the nonjuring priests; error is not a crime, and fanaticism is increased by resistance. We must be content with punishing open revolt, bearing with schism and its consequences, and leaving to God the care of avenging His glory if He believes it outraged, without carrying a spirit of inquisition into the search after a clandestine worship. Let it be acknowledged that the nonjuring priest who seeks to propagate his doctrine uses only the rights of man." Torné rejected as well the fiscal proposition of Fauchet as that of Lejeune. He energetically said of the first, that to reduce to hunger men who had lived in opulence, would be to act with more severity than a corsair; and he branded the second by this energetic speech: "Pray, gentlemen, under the *régime* of liberty, let there be no punishment without judgment, and no judgment without proceedings."

He demanded, in concluding, the most complete respect for religious liberty. This noble language saved the honour of the Constitutional clergy, gravely compromised by the furious harangue of Fauchet. Ducos demanded and obtained the printing of the speech of Torné, "in atonement for the intolerant speech that had been pronounced the evening before." In vain Fauchet returned to the charge; they thought him ridiculous when he appealed to the pity of the Assembly in favour of the patented and paid clergy, on account of a few stones thrown by women at a parish priest who was displeasing to them; and his proposal to withdraw all pension from the refractory priests, had not more success than at his first speech. The majority of the Assembly was still with Torné. Most of the orators had ranked themselves with his opinion. Davignon demanded that they should put the nonjuring worship on the same footing as the Protestant temples, the synagogues and the mosques, and Monneron, that they should punish the factious, not as priests, but as rebels. Baert declared, with sound sense, that it was necessary either to allow liberty of conscience or to persecute, and that, in reality, the arbitrary measures proposed against the refractory were only a renewing of the famous motion of Dom Gerle, that is to say, the restoration of a dominant and persecuting religion.* Several orators proposed, as a sure means of maintaining religious liberty, that they should take away from the clergy the keeping of the civil acts, in order that they might be relieved of all temporal jurisdiction. Hilaire was the first to introduce this opinion. Other orators urged to a still wider application of the liberty of worships, by demanding that their support should be abandoned to the free choice of the faithful. They, doubtless, did not lay down a formal proposition, but they indicated the only reasonable issue to these conflicts, so

* Sitting of the 21st of October.

perilous for the Revolution. A deputy, whose speech was full of sense in the main, ended by invectives against those even whose rights he defended. "Their religion," said the orator, "is counter-revolution, and their God is beyond the Rhine." ✓

It was by these excesses of language that they endeavoured to get passed an equitable proposition. Vaublanc was more consistent than the preceding speaker. "Do you wish," said he, "to admit a measure truly Constitutional? I would propose to you, if the article which secures the ecclesiastical pensions were not opposed to it, to suppress all payment of the ministers of worship at the charge of the State, and to charge the localities with them." The less radical proposition of Montèze, not to impose the Constitutional clergy on parishes which did not wish for them, on condition that they should pay their own priests, was supported by several deputies. Ramond vigorously protested against this kind of bastard State-religion which the Constituent had established, by re-attaching ecclesiastics to political institutions, and by establishing a paid clergy which would be enriched by the taxes of the citizens, even of those for whom they did not exist. Not yet daring to propose the full separation of Church and State, Ramond demanded that all worships should be paid by the State, and that each section of fifty active citizens forming a Church by themselves, should have the right to participate in the Budget.* Such a plan was evidently chimerical, but it was more equitable than that which existed; and, by the difficulties of execution, it would bring back to liberty and equality of worship, and to its full independence with respect to the civil power. Two of the principal Girondists forcibly protested against exceptional measures. Ducos set himself to refute the miserable sophisms which distinguished between liberty of conscience and liberty of worship.

* Sitting of the 27th October.

There could not be a question in the Declaration of Rights of the liberty of opinions, which despotism can never touch, but of the liberty of their manifestation, which alone was on trial. This, then, is the liberty which it was necessary to consecrate and to maintain, under penalty of seeing a burning fanaticism burst forth, provoked and justified by unjust repressions. "The problem to be solved," as was well said by the young orator, who on that day showed himself a faithful disciple of Mirabeau, "is then this: by establishing the liberty of all worships, how are you to prevent any of them from becoming a constituent part of the social order? It is evident that the worship which should enter into the constitution of the State would cause all others to experience a great injustice. If it is unjust and impolitic to give the preference to any one worship whatsoever, it follows thence that worships cannot be the object of a law. Separate, then, from that which concerns the State all that concerns religion; assimilate the manifestation of religious opinions to the manifestation of all other opinions; assimilate religious assemblies to all other meetings of citizens; let all sects have the liberty of choosing a bishop or an iman, a minister or a rabbi, as popular societies have the liberty of choosing from their midst a president and secretaries. Let the law be addressed always to the citizen, and never to the sectary of any religion whatsoever; in short, let civil and political existence be absolutely independent of religious existence." Ducos did not venture to draw all the consequences of these principles, which would have led him energetically to condemn the Civil Constitution of the clergy and the oath imposed on the priests. He strove, at least as much as possible, to preserve religious liberty by demanding that the registering of births and marriages should be taken away from the Constitutional clergy, and that the greatest latitude should be allowed to the nonjuring worship. He set himself against every preventive measure. "It is this fatal pretext of preventing crimes," said he with sound

sense, "which has in all ages favoured the rapid march of despotism." He proposed, in fine, that the wish of the parishes should be consulted in the nomination to ecclesiastical offices, and should be set above the narrow prescriptions of the Civil Constitution of the clergy. It was, in reality, to demand the abrogation of the latter.

The chief speech in this debate was pronounced by Gensonné. He had special claims to the confidence of the Assembly, for he had traversed the principal centres of the religious agitation, and his report was the important piece of the debate. He had returned convinced that, with toleration, men's minds would soon be appeased, whilst persecution would quickly transform religious schism into open revolt. The conclusions of his report were entirely in this direction. He did not contradict them at the national tribune. Recalling, with an energetic conciseness, the facts of which he had been witness, he showed that the religious disturbances were not the result solely of the intrigues of the absolutist party, but also of the faults of the too ardent friends of the Revolution, who were wrong in treating as public enemies all those who, through weakness, error, or the effect of a timorous conscience, had remained attached to their ancient pastors. "It is thus," said he, "that in most of the departments the country people have been persecuted and tormented; it is thus that they have been led into error by placing their love of country in opposition to their love for the ancient depositories of their confidence; it is thus that, by a singular mistake, they have identified the love of the Constitution with the adoption of a particular religious system." It follows from these facts, that the only way of appeasing minds is to give full and entire liberty of religion.* And it is at this moment that they talk of restricting the residence of all priests not confor-

* Sitting of the 28th of October.

mists. That such violence should naturally present itself to the mind of a despot is conceivable, but it is strange that the founders of liberty should familiarise themselves with measures so arbitrary. "No," eloquently exclaims Gensonné, "you cannot do it." Then he sets forth in the lump all the injustices and illegalities of the condemnation which they demand; it strikes the innocent with the guilty, confounds the judiciary and the administrative power, and re-establishes a sort of inquisition of consciences; the result could only be to root more firmly the dissident opinions. As to considerations borrowed from reasons of State and from public safety, Gensonné branded them by recalling that the greatest crimes of tyranny, beginning with Saint Bartholomew, had had no other pretext. "Let us profit," said he, "by the errors of the National Assembly, and by the lessons of experience; and let us separate from religion all that belongs to civil order." He demanded, in consequence, that they should return to a loyal and serious practice of the Declaration of Rights in what concerns religious liberty; that they should reduce to functions exclusively religious, the ministers paid by the nation; that they should take from them the public registers; that the will of the people should be chiefly consulted in the election of their pastors; and that in abolishing what remained of the religious corporations, they should entrust the keeping of religious liberty to all the administrations. "Remember," said the orator, in concluding, "that respect for individual liberty is the surest guarantee of public liberty, and that we ought never to cease to be just, even towards our enemies."* The Revolution might still have been saved from anarchy if it had taken these noble words for a motto. That day, however, victory remained to justice, for the Assembly, after having voted the printing of the

* Sitting of the 3rd of November.

speech of Gensonné, decided that a report should be made to them, within a week, on the propositions which he had submitted. This vote was evidently a striking adhesion to the great principles which the Girondist orator had developed, with as much eloquence as good sense. Unhappily, there was in this adhesion more enthusiasm than settled conviction, and the serious news which arrived in quick succession from the departments, brought back the majority to the most hostile dispositions, and hurried them to the most despotic measures.

In fact, two days after the speech of Gensonné, an extraordinary courier informed the Assembly that religious agitation had broken out in an alarming manner in Anjou.* The Directory of the department of Maine et Loire sent to the Assembly a report which violently incriminated the nonjuring clergy. It stated that gatherings of four thousand men had been formed on several points of the department, for pilgrimages and nocturnal processions, and that they had armed themselves with guns, pikes and scythes, when it was wished to disperse them. Already several engagements had taken place with the National Guard, and the popular fury had turned against the Constitutional priests, who were exposed to the greatest perils. Churches, closed by order of the Assembly, had been re-opened by force, and nonjuring priests celebrated worship in them despite the interdictions of the law. Any day, the department might be in a blaze and deluged with blood. This report, from which it clearly appeared that the populations had thought of arming themselves only after being invaded in their religious rights, caused as much anger as alarm in the Assembly. Evidently, the blast of the tempest had reached them, and it drove them to extreme severities. We may judge of it at once by the passionate words of Isnard, who

* Sitting of the 6th of November.

exclaimed that moderation had lost all ; that systems of toleration were good for times of calm ; and that there should be no toleration for those who will not tolerate the laws. Whilst the required report was being elaborated, it was learnt that Caen had been the theatre of serious disturbances, that there had been seen there gatherings of ancient nobles and of emigrants returned to France, who had concerted to be present with display in the religious services celebrated in the churches by nonjuring priests, in conformity with the decree of the 10th of May. Thence sprung grievous conflicts, which had led to a resolution of the Communal Administration, ordering the refractories to quit their ancient parish. This resolution was quickly followed by a second, which interdicted all who had not taken the oath from celebrating mass in the buildings consecrated to official worship. It had been induced by some contest in which blood had flowed ; it was not the less illegal, since it was in opposition to an unrevoked decree of the Constituent Assembly.* The administrators of the department had therefore refused to countersign this second decree, and they had been approved by the Minister of the Interior. There was here a new manifestation of the great conflict, which was everywhere breaking out between the legislators of 1789 and those of 1791. The Assembly belonged to the latter. They were very near impeaching the accused of Caen before the High Court, without having had the depositions communicated to them : Isnard urged them in this direction. He spoke only of causing the thunderbolt to fall in the midst of the enemies of the Revolution, and of making their heads roll on the scaffold. This impatience could not reconcile itself with the slow forms of justice. "This new sword of the law," cried he, "which liberty has fabricated, must in short go forth from its

* "Moniteur" of the 12th of November.

scabbard" Do we not there see the Mountain constituted in the midst of the Gironde? Saint-Just and Robespierre will not speak otherwise; it is true that their practice will be worthy of their theory—a thing not yet possible. The Assembly, through a lingering sentiment of shame, did not wish to accuse without evidence, and demanded the official report of the affair of Caen.

They were very ill-prepared to come to an equitable decision in what concerned the refractories. A first Bill was presented on the 13th of November; it was limited to demanding the civic oath of all pensioned priests and of all those who should officiate or preach in any part whatsoever of the kingdom. Religious disturbances were to be closely watched and severely punished, but the draft of decree did not contain proscriptions *en masse*. Accordingly it appeared too moderate. We find again the fiery Isnard in the breach, to demand a law of exception, under pretext that the priests, having in their hands the most powerful lever for agitating souls, ought to be treated with implacable severity. He demanded nothing less than a decree of exile for all the refractories. "Do you not see," said he, "that it is necessary to separate the priest from the people, whom he leads astray, and to send these pestiferous fellows back to Rome and Italy. Isnard wished that a single complaint should suffice to pronounce the banishment of a priest, and he saw an excess of indulgence in the pretence of judging him only on evidence. Behold what passed for liberal in the month of November, 1794, at that tribune where Mirabeau had so nobly vindicated the right of conscience! The speeches of Isnard, despite their sophisms and exaggeration, produced a great impression, because they burst forth from a soul on fire as the lava bursts forth from a volcano; they were perfectly sincere, but that was not a sufficient motive to excuse all which they contained contrary to liberty. Isnard was a tribune convinced, but drunk with passion. The printing of his

harangues was demanded, and it would have been voted if, in his fiery extemporising, he had not suffered himself to go so far as to say: "My God is law; I know no other," which excited the justifiable indignation of the Bishop Lecoz. This God, moreover, did not much restrain him, for the law, such as he comprehended it, was the public safety, that is to say, the popular will with all its caprices.

On the 16th of November, François de Neuchâteau, who followed Isnard only too closely, brought, in the name of the Committee of Legislation, the draft of a decree which left nothing to be desired by the partisans of arbitrary power. The civic oath was to be taken within a week by all ecclesiastics not functionaries, under penalty of losing the pensions which had been voted to them by the National Assembly, and of being arraigned, in case of disturbance, for revolt against the country, placed under the surveillance of the constituted authorities, and withdrawn from the commune where the disturbances had broken out. Every ecclesiastic, who should be convicted of having fomented religious agitation, was to be punished with two years' imprisonment; he was made answerable for all the acts of murder and pillage which might be committed in the riot provoked by him or on his account. The expenses of repression would be laid to the charge of the communes when the intervention of armed force should have been necessary. The list of all the priests who should have refused the oath should be drawn up in all the departments. Extraordinary penalties were reserved for those among them who should be convicted of intrigues with the foreigner. In fine, the Committee of Legislation proposed to replace the oath of the Civil Constitution of the clergy, by the civic oath to the nation, to the law, and to the King; to substitute for the faulty title of *Civil Constitution of the clergy* that of: *Law concerning the civil relations and the external rules of the Catholic*

worship in France, and to take away the character of public functionaries from the bishops, parish priests, and vicars. Apart from these last clauses, which reveal an intention of separating the religious domain from the civil domain, this monstrous law embodied all iniquities. First, it was tainted with *retroactive power*, since it rendered the oath demandable for ecclesiastics not functionaries; secondly, it violated a sacred engagement, by withdrawing from the refractories the pensions which had been voted, without condition, by the Constituent Assembly. The substitution of the civic oath for the oath taken to the Civil Constitution of the clergy, was a vain palliative, since the first implied the second, for the Civil Constitution was a portion of the General Constitution. Terrible in its repressions, this law preserved a dangerous vagueness in the definition of crime, and it marked out beforehand, and without examination, the non-juring priest as guilty wherever any disturbance broke out; it rendered him responsible for what he had not, perhaps, been able to prevent. Such a law is a disgrace to the Legislature which patiently heard its recital, and in voting, aggravated it. The attenuating circumstances are in the perils of the country and the intrigues of the emigrants, but it does not the less remain one of the saddest monuments of revolutionary iniquity. In vain did Lemontey demand that ecclesiastics should be permitted to reserve their religious opinions whilst taking the civic oath; this proposal, greeted by the hootings of the Assembly, was rejected. In vain did Bishop Torné again forcibly remark, despite interruptions and murmurs, that the refusal of the oath by an ecclesiastic not a public functionary, should not be considered as a crime, and was consequently not to be punished by the withdrawal of a pension secured by the Constitution. He only drew down upon himself this odious reply from François de Neuchâteau: "I would compare the nation, if it pensioned the

nonjurors, to a father of a family who, having in his field venomous reptiles, should take away the food from his children in order to nourish these reptiles." When language is stamped with such violence at the tribune, we may say that street massacres are not far distant. In vain did the right wish to slacken the march of a decision proceeding at a charging pace, as if to crush the enemy, by several times demanding the roll-call. Vergniaud denounced its members as factious, and demanded that every insisting of this kind should be punished with some days' imprisonment at the Abbaye. The discussion was precipitated in a manner to satisfy the most exacting. The extreme left wished to substitute transportation for imprisonment, in order to remove the destructive wolves from the sheepfold. "It is necessary," said a member naively, "that those who have said: '*Outside of the Church there is no salvation*,' should learn that outside of society there is neither pension nor protection of the law to be hoped for." The remark was significant, and it once more reveals the agreement between a certain despotic Catholicism and the school of Rousseau. The Assembly, for the moment, was content with imprisonment, and on the observations of Brissot and Gensonné, they specified, that in order to be imprisoned, it was necessary *to have formally and designedly provoked disobedience to the laws*. It was a happy amelioration. They did not venture to adopt the only reasonable part of the Bill, that which abolished the title of the Civil Constitution of the clergy. They retained this appellation, after a tearful speech from Lamourette, who appealed to the relationship "between this philosophical book which is called the Gospel and the Revolution." He demanded that they should not all at once disband the greatest force which had secured the new régime, "that army more powerful than bayonets." France knew, notwithstanding, by a bitter experience, confirmed every day, what it had cost it to constitute a functionary clergy.

On the proposition of Lemontey, it was decided that the revenues of confiscated ecclesiastical pensions should form a fund divided between the different departments, to be employed in works for the able-bodied poor and for the relief of the sick poor. That was to forget that charity cannot be separated from justice, and that we have not the right to give alms out of the property of others. The law received its appropriate climax in a supplementary article, which hypocritically suppressed religious liberty. Albite had proposed to decree that it should be permitted to every private society to purchase churches and private buildings, in order to make use of them in the exercise of any religious worship whatever, under the surveillance of the constituted authorities. He only reproduced the memorable resolution taken in the month of May, by the National Assembly, on the proposition of the Directory of Paris. It was the consecration of one of the great principles of 1789. The motion was accordingly supported by men truly liberal.

"Endeavour to have a thousand forms of worship," cried one voice, "they will respect and mutually protect one another." "The law," says Gaudet, "well inspired this time, ought to hover over all worships in order to protect all, and to strike them only when they disturb the public order." But the fanatics of the Civil Constitution of the clergy, like Lamourette, did not wish that religious liberty which would have opposed altar against altar. The Bishop of Lyons insidiously asked, if they owed churches to the enemies of the Constitution. He was supported by the violent party of the Assembly, and the motion of Albite returned from the Committee of Legislation, to which it had been sent, with this addition, "that in order to rent a religious edifice, and to celebrate worship therein, it was necessary to have taken the civic oath," which was equivalent to suppressing religious liberty in the country. In fact, from the time that it is refused to the minority

which are out of favour, it is no longer anything but a deception. François de Neuchâteau justified this grave modification, on the ground that liberty was not due to those who had always cursed it : he did not see that by treading in their steps, he was deciding in their favour. On the 29th of November, the decree passed in its entirety. It was the greatest contradiction that a revolution, based on liberty, had yet been guilty of, for this decree was a real outrage upon the Declaration of Rights ; and the King, by opposing his *veto* to it, was much more liberal than the democratic Assembly, for there was not one of the measures which they presented to him, which did not seriously wound the elementary principles of right and justice.

Most of the historians of the Revolution have committed the error in judging of this decree, of placing themselves at the standpoint of party warfare and not at that of justice, which was also that of liberty. M. Louis Blanc materially lessens the gravity of the decree of the 29th of November, whilst M. Michelet blames its rigour only in so far as it was applied to the simple faithful.* For the priests, he admits an exceptional severity on account of their extraordinary influence. There are no revolutionary excesses such maxims do not justify beforehand. When the decree of the 29th of November was carried to the council, the ministers who judged the measure as political men, were unanimously of opinion that it was necessary to sanction it, but they encountered an invincible resistance from the King, because his conscience was decidedly touched. It is to no purpose to accuse this unhappy prince of having had courage only to defend the priests.† He here served his dearest and most sacred convictions, and if he

* Louis Blanc, "Histoire de la Révolution," VI., p. 213 ; Michelet, "Histoire de la Révolution, III., p. 343.

† Louis Blanc, "Histoire de la Révolution," VI., p. 214.

had been listened to, he would have rendered the most signal service to the Revolution. But the latter, rendered furious by the perils which were accumulating on the frontier, thought only of crushing all that was an obstacle to it ; and, encountering the royal *veto* on its path, it gave itself no relaxation until it had swept away the *veto* with the royalty itself, which could not survive it.

This question of the *veto* profoundly agitated the country in the months which followed ; the resistance of the King everywhere arrested the legal repression of religious disturbances, but everywhere also exasperated the popular fury. Besides, it was around this question that was fought the grand battle between the men of 1789, firmly attached to the Constitution, and those of 1791, who were much more obedient to passion than to principle, between those who wished liberty above everything, and those who preferred to it democracy. The victory was to remain with the latter, for they had on their side the fever and the peril of the nation, and it was in their sails that the tempest blew which threw the country into confusion.

This strife first broke out at Paris. We have seen that the Directory of the department of the Seine was principally composed of ancient Constituents, and represented with *éclat* the great principles of 1789. It was this majority which had, in the month of May, preserved religious liberty. The decree of the 29th of November was, in their eyes, a real attempt against liberty, and they publicly and solemnly expressed their opinion, in a petition to the King, in which they asked him to refuse his sanction. This petition, which the Apologists of the Revolution brand as an attempt at reaction, is stamped, on the contrary, with the most elevated and consistent liberalism. It is the very language of right and of justice. After having avowed their love for the Revolution, and their hatred of fanaticism, the petitioners, whilst rendering homage to the intentions of the Assembly, accused it of having voted mea-

asures which the Constitution, which justice, which prudence could not admit. They attack the decree of the 29th of November in the first place, as illegally destroying the title to national confidence, and as being gravely wanting to the public good faith, which had secured the payment of their pensions to the ecclesiastics who were not functionaries ; in the second place, as arbitrarily creating a category of suspects and causing lists of proscription to be drawn up by the directories of departments ; in fine, as outraging, in the most flagrant manner, the liberty of citizens, by causing the non-juring priests to be incarcerated wherever religious disturbances should break out. The Directory declared itself incapable, as far as it was concerned, of putting its hand to such measures. "What!" stated the petition, "should we hold this language to our fellow-citizens ! 'Say, what is your worship? Render account of your religious opinions ! If you have been ecclesiastics, tremble ; we will fasten ourselves on your steps, we will spy out all your private actions ; however regular may be your conduct, on the first disturbance which shall arise in this immense city, and in which the word religion shall have been pronounced, we shall come to tear you from your retreat, and despite your innocence, we shall be able, with impunity, to banish you from the hearths that you have chosen.'"

The Directory protested, with not less force, against the additional article of the decree which suppressed religious liberty for the refractories. "It is necessary," it said, "that on this point, as on every other, liberty should not retrograde." The petitioners showed, with as much eloquence as good sense, that the National Assembly, in striking at opinions so severely, only opposed fanaticism to fanaticism, and restored the odious principles in the name of which the Cæsars had persecuted the first Christians, and Louis XIV. had proscribed the Protestants. "Should an entire century of philosophy then have served only to bring us back to the intolerance of the sixteenth century

by the very routes of liberty? *Since no religion is a law, let no religion be a crime.*" The Directory admitted all the severities of the constituted authorities against proved crimes, but it demanded that no opinion should be harassed, affirming that the surest way of repressing fanaticism is to deal justly with it. "For all these reasons," the petition stated, "and in the sacred name of liberty, of the Constitution, and of the public good, we pray you, Sire, to refuse your sanction to the decree of the 29th of November." This petition, which Louis Blanc taxes with arrogant, and Michelet with vain abstraction, and which was the most noble and the most courageous homage to the principles in the name of which the Revolution had been inaugurated, provoked the most violent irritation in Paris. It was bitterly inveighed against in the clubs and in the press, and the people of the league were found, at the end of the eighteenth century, as intolerant in the opposite direction as they had been under the Guises.

The demagogical party wished to counterbalance the effects of the petition by a grand scene calculated to strike the eye. A series of deputations, representing various sections of Paris, brought to the bar of the Assembly petitions, or rather protestations, against the proceeding of the Directory. Most of these pieces are stamped with a loathsome coarseness. The orator of the Faubourg St-Antoine summons the refractory priests in this tone:—"Monsters who sweat crime, your God is the God of the passions; ours is that of clemency." Singular introduction for demanding proscriptions! The honours of the sitting were granted to the incomparable pamphleteer of democracy, to that Camille-Desmoulins, who knew how to be witty even in the most extreme violence, and who translated into cruel jests the fury of the people. He was merciless towards the Directory who, in publishing their petition, had, according to him, opened a great register of counter-revolution, and an engagement of civil war sent

with the signature of all the fanatics, idiots, slaves, and late robbers of the eighty-three departments, at the head of which are the exemplary names of the petitioners. Camille Desmoulins demanded that they should immediately execute the decree of the 29th of November, remembering that the will of the people is sovereign, and that a royal *veto* would not have hindered the taking of the Bastille. He wished that the Directory should be charged with exciting to disobedience against the law, with having signed a collective petition, and with striving to annul the national representation by a factious appeal to the country. The petition thus terminated :—"Disdain all sophisms, fathers of the country. Doubt no longer the all-powerfulness of a free people. But if the head slumbers, how shall the arm act? It is the chiefs who must be pursued. Strike at the head; thunder against the conspirator princes; use the rod against an insolent Directory, and exorcise the demon of fanaticism by fasting." It is enough to commit injustice; it is not necessary to joke about it. The proposition to deprive all the nonjuring priests of the pensions secured by a solemn vote was only the more odious for this merry way of expressing it. In order that nothing should be wanting to the scandal, it was Bishop Fauchet who lent his voice to Camille Desmoulins to read this piece polished with so perfidious a care. The Assembly voted with enthusiasm its being printed and sent to the departments. Such scenes excite profound disgust towards demagogical parties, especially when they find apologists sixty years afterwards. Let them teach us, at least, never to prefer the Revolution to liberty!

We have said what was the inflexible decision of the King. He decided in favour of the Directory, acquainting the Assembly, by his keeper of the seals, that he reserved to himself the right to examine. From this moment he became the butt of all their anger. We ask ourselves what outrage he had still to undergo

after the insults which the democratic press had heaped upon him ? Prudhomme ventured, in his journal, to compare the royal *veto* to a cannon-ball, which the Assembly was dragging along. He ridiculed the Prince, *beset day and night* by a vindictive wife and a bigoted sister, and rudely reminded him that the House of Bourbon owed all to the nation. "We have made many ingrates," added he—"no matter."* Was the red cap, which they put on the head of the King in the month of June following, more insulting than such apostrophes ?

The effects of the *veto* were different according to the departments.† At Paris, despite the excitement of the people, despite the growing preponderance of the Jacobins, who obtained the closing of the rival club of the Feuillants, the Directory, supported by the Council of the Ministers, remained for some time the stronger. Several churches were re-opened to the nonjuring clergy ; the worship in them was not disturbed. A large number of priests from the provinces flowed into the great city, where they concealed themselves more easily from persecution. Meanwhile, irreligion made progress every day, and the tribune of the Jacobins unceasingly resounded with passionate declamations against religion. In the departments, anarchy was at its height. Whilst some Liberal Directories, like that of La Rochelle, followed the example of the true Liberals of Paris, others in Landes and Finistère, passed over the royal *veto*, and executed the decree of the 29th of November, as though it had the force of law. A con-

* Buchez and Roux, "Histoire Parlementaire," XII., p. 262.

† See on the state of the Church of France during the year 1792, the third volume of the "Histoire de l'Eglise de France sous la Révolution," by the Abbé Jøeger ; "Histoire Anonyme du Clergé de France sous la Révolution," Lyon, 1828 ; and the work of Barruel, already cited. We recall only for memory the "Moniteur," and the collection of Buchez and Roux.

siderable number of nonjuring priests had been imprisoned at Brest and Dinan; they underwent, without trial, the severest captivity, and they would certainly have died of hunger but for the abundant alms of the faithful. These measures excited a growing fermentation in the parishes from which their ancient priests had been torn. Moreover, in the departments of the Haute-Garonne, Loire-Inférieure, l'Ille-et-Vilaine, Mayenne, and Maine-et-Loire, the priests, without being imprisoned, are obliged to assemble in the chief town, some are violently dragged to it; there they are the object of an inquisitorial surveillance, and what was for them the height of persecution—they are forbidden to say mass. At Nantes, they had to present themselves twice a day at the roll-call. All priests who, in the department of Ille-et-Vilaine, refused the civic oath, were conducted to Rennes. They were forbidden not only to celebrate their worship, but also, under penalty of imprisonment, to assemble to the number of more than three. The same deeds were reproduced at Angers and Laval. Soon they were no longer content with punishing ecclesiastics: they equally attacked the faithful. At Rennes, they had to pay a fine of six francs when they were caught being present at a prohibited mass. Armed forces scattered their meetings for worship. In vain did the adherents of the nonjuring worship conceal themselves in the most retired apartments; they were carefully watched, and the discovery of a chalice or sacerdotal ornament exposed them to severe penalties, or to ill-treatment on the part of the populace.

Happy were the refractories when they were transferred to the tribunals! they found there still an almost equitable justice, but for the most part they were subjected to the violent measures which were officially decreed by the Directories or Municipalities. They enjoyed no security even in the cities where the Directories were favourable to religious liberty. Thus at Auch, the Municipality closed a chapel of the convent of the Carmelites where mass had

been celebrated, without restraint, by the nonjuring priests, despite the energetic efforts of the Directory.

The resistance of the truly liberal authorities had for its sole result to bring about grave scenes of violence. The convents of women, which had not yet been closed, and where the influence of the refractories predominated, were specially marked out for the popular fury. We may judge, by what took place in the month of March, 1792, at the convent of the Dominicans, in Paris, of the cruel persecutions which were inflicted, throughout the whole of France, on the nuns who remained faithful to the Holy See. A band of madmen had thrown themselves into the convent, threatening to blow up everything, if the priest who had taken the oath was not immediately received. "I should fear," writes the Superior to the Pope, "to affect your paternal heart too sensibly if I were to enter into the detail of all the vexations which they have made use of to shake our fidelity; if I should depict to it the furious mobs which have surrounded us, the continual threatenings of nocturnal pillage, the terror and fright which cast us at the feet of the most holy Virgin. No, I shall not enlarge on all these personal persecutions, because we rejoice, after the example of the apostles, to be found worthy to suffer something for the name of Jesus Christ, and the honour of the Church our mother."* The Superior of the schools of Saint-Charles, of Paris, in a letter equally touching, gives analogous details of the persecutions which she underwent. She relates that, on her refusal to receive the new priest, who was in her eyes only an intruder, the latter applied to a neighbouring club, and secured the concourse of a band of madmen to do violence to her. On Rogation Sunday, followed by these men in guise of a procession, he crossed the threshold of the convent. "Open your chapel," said he; "ring your bell." "I

* Theiner I., pp. 321, 322.

refuse both," relates the Lady Superior; "the cries redouble, hatchets are distributed, the garden wall is scaled. My faithful companions and I, withdrawn into a chamber and prostrate at the foot of the crucifix, await death—we offer our lives to God." The Lady Superior had the grief of seeing one of the sisters open the chapel to the Constitutional priest; she resisted all besettings, and after having remained three entire days in the midst of the soldiers, she was obliged to disperse the community and take to flight.* If such scenes took place at Paris, it may be imagined to what violence the revolutionary fury was carried in the provinces. At Langres and La Rochelle the nuns were beaten with rods; the same treatment was inflicted on some young girls who had attended the proscribed worship; and the Minister of the Interior cited the case of an unhappy man who was exhumed from the cemetery and interred in an open crossway, for not having wished to be present at the mass of the Constitutional clergy.† The municipal officers sometimes tore children from their parents to cause them to be baptised by priests who had taken the oath, or they inflicted fines on the parents who had not presented their children in the parish church.

This persecution did not always meet with lambs ready to endure it patiently. It provoked energetic resistances which were within a little of being transformed into open civil war, and it was made the most of by the emigrants. Nevertheless, with prudent and liberal measures, it would have been still possible, at the commencement of the year 1792, to restore calm to men's minds; liberty of worship, freely acknowledged and sincerely applied, was sufficient to pacify the provinces, and to cause the gravest conflict between the King and the Assembly to disappear.

In a writing entitled "New account rendered to the King!" the

* Theiner I., p. 340.

† "Moniteur" of the 18th of February, 1792.

nonjuring clergy protested against all the accusations of rebellion with which they were overwhelmed. "You accuse us of being the authors of all kinds of disturbances which agitate the kingdom; you accuse us of default of payment of the taxes, of the resistance of the people to the free circulation of grain; you accuse us of being in intelligence with the enemy of the country, of ardently desiring war. How is it that among so many accused priests you have not been able to find a single guilty one? And yet, surely the hostile surveillance of fifty thousand administrative bodies, aided by more than ten thousand clubs, should have sufficed to discover these plots if they existed. We declare to your Majesty that we are submissive to all the public authorities, and that, after the example of Jesus Christ, we reckon it amongst the number of our duties to pay our taxes. We declare that the most constant and the most ardent of our wishes have for their object the return of peace in the Church and in the State. All our resistance is limited to explicitly believing that the Constitutional worship is not the Catholic worship, and to teaching that it is not. This single point excepted, we are entire in our submission to civil order and to the laws; we are innocent, not only in the eyes of God, but also in the eyes of the law."* It would have been good policy to take possession of these declarations, and not to push to extremity a party which would have been bound by its promises of submission, with the reservation of respect for its rights.

Such was indeed the advice of the Minister of the Interior, Cahier-Gerville, in the report presented by him to the Assembly on the 18th of February. After having traced a rapid outline of the religious agitation in the departments, in which he pointed out an equal fanaticism in the two camps, he summed up his

* Jæger "Histoire de l'Eglise de France sous la Révolution," III., p. 107.

appreciation by these significant words: "If, on one side, we see fanatics, on the other we see persecutors; and it appears that toleration is exiled from this kingdom. In all the departments religious liberty has been more or less null; administrators have passed vexatious resolutions which the King cannot help condemning, as contrary to the Constitution. Their crime is excused by the difficulty of the circumstances. They have put above the law what they have regarded as the public interest. They are not sufficiently penetrated with this truth, that when the law is made, the public safety is in its rigorous observance. What matters it to the State whether a citizen goes to mass or not? All that a good Constitution can do, is to favour all religions without distinguishing any. *There is in France no national religion.* Each citizen ought freely to enjoy the right of exercising such religious observances as his conscience prescribes to him; and it is to be desired that the time should not be far distant, when each shall pay for his own worship." The minister longed for the moment when the social state should no longer be authenticated by priests, and terminated his report by these remarkable words: "The interests of the priests ought to count for nothing in the combinations of the legislator. The country awaits a just law which can enter into the code of free peoples, and which dispenses with pronouncing these words: *Priests and religion.*" It could not be better expressed; it was the pure spirit of 1789, freed from all inconsistency, and it was the sure remedy for the internal ills of the country. This report was much applauded, but it did not lead the Assembly to abandon that fatal policy of the measures of public safety which the minister had so justly blamed. Unhappily, he could not long represent moderation in the council of the King; for, the following month, the ministry was dissolved: the Minister of Foreign Affairs, Delessart, was brought before the High Court of Orleans; the Gironde imposed

its men on the Prince, and the austere and rude Roland, less liberal than democratic, replaced Cahier-Gerville in the Department of the Interior. Revolutionary intolerance was henceforth supported by the Chief of the Administration, and it was, without fail, going to run riot at its ease.

On the 19th of March, the Pope had launched a new brief, full of congratulations for the nonjuring priests. This brief was especially designed to refute the Gallican principles expressed in the Statement of Principles, signed by eighteen Constitutional bishops. It was moderate enough in its tone, and it limited itself to unite, in a single monitory, the second and third warning which was to precede the decisive condemnation of the recalcitrants. The same day, Pius VI. published another brief, which conferred on the ancient bishops and on the administrators of their dioceses, all the powers necessary for absolving in cases reserved for the Holy See, and for making ordinations outside of the ordinary rules. The Pope thus rendered possible the maintenance of an orthodox Church under the grave circumstances of the time. All that proceeded from Rome exasperated the men who were at the head of the movement, because they knew very well that there was the hottest centre of the counter-Revolution.

The brief of the Pope does not appear to have produced much impression on the Constitutional clergy. Not that some of its most influential members were not shaken : Gobel had had secret conferences with the Abbé Barruel, one of the most active agents of the Ultramontane party ;* but the base soul of the Bishop of Paris might well be crossed by a vague uneasiness ; he was none the less incapable of taking a courageous resolution. The fear of hell brought him back to the Pope, as a greater fright, in presence of a nearer peril, was to withdraw him from religion itself, and to

* See the letter of Barruel, in Theiner, I., p. 360.

drive him to a scandalous apostacy. He was a vile, timorous, and ambitious man. The Constitutional Bishop of Rouen, Charrier de la Roche, had given in his resignation without passing to the contrary party; he recoiled before the persecution of the refractory clergy, and he hoped that if his example was followed by the two clergies, the work of conciliation would be much advanced.* He had no imitator. Indeed, the Constitutional clergy began to be divided; they reckoned a great number of respectable priests, who laboured courageously to raise religion again in France, but they had also been invaded by what may be called the scum of the ancient Church, and they reckoned amongst their ranks some men lost to morals, and mad members of clubs. The question of the marriage of the priests had been agitated for some months. It had been legislatively determined, for the Assembly had decreed that pensions should be continued to the ecclesiastics who should marry. Several Constitutional priests had profited by this authorisation, but the Catholic sentiment, even in the Constitutional Church, had been deeply wounded by it. Aubert, Vicar of Sainte-Marguerite, at Paris, had given a great *éclat* to his marriage, and had succeeded only in producing a frightful scandal in his parish of the Faubourg Saint-Antoine; he had basely had recourse to the tumultuous approbation of the clubs. Hence, deplorable scenes, well calculated to bring into disrepute the new Church and the Revolution, for the Assembly committed the error and absurdity of granting the honours of the sitting to the clerical couple, after a speech from the husband, who insinuated that the Bastille had been taken in order to facilitate his marriage. He was maintained at his post, despite his bishop, by the favour of the clubs.† Later on, despite the energetic demands of several priests of

* "Histoire de l'Eglise de France," by the Abbé Guettée, XII., p. 288.

† Jæger, III., p. 188.

Paris, he was nominated to the cure of Petits-Pères, and installed with great pomp; his wife occupied a place of honour in the choir. If the days of persecution had not come for the Constitutional clergy, they could not have raised themselves from the discredit to which the insulting protection of the enemies of Christianity condemned them. It is certain that they had already formed the scheme of abasing religion, in order the sooner to rid themselves of it. But it was necessary, previously, to crush the refractory priests, and since the admission of the Girondists to the ministry, nothing was spared to realise this design.

The butcher Legendre had brutally, but faithfully, expressed the intention of the Jacobins, when he cried, at the tribune of that club: "Let the refractory priest be severely punished; let him carry his head to the scaffold, or his body to the galleys. When a husbandman finds a caterpillar, he puts it under his foot." At the season of Easter, the violences against the worship of the non-jurors increased. At Lyons, their churches were invaded by the populace, and the rioters obtained as a recompense from the Municipality, the closing of all the chapels of the convents. The Church of Sainte-Claire, which had not been interdicted, was, on Easter-day itself, the theatre of the most scandalous scenes. Women were covered with mud, then dragged in a sling through the streets of the city before the magistrates, who were silent witnesses of these infamies. But little was wanting that the conscience, even of the King, was not directly violated. Guadet had prepared an imperative letter, which was to be signed by his ministers, and in which it was intimated to him to change his confessor. Dumouriez had the good judgment to oppose this design, by saying that he would not permit that the King should be written to in the name of the Council, on the affairs of his conscience; that he might take an iman, a rabbi, a Papist, or a Calvinist to direct him, without any one having the right to

meddle with it.* Wisdom would have counselled the application of this rule to all the citizens, but the zealous party were less and less inclined to moderation. It was not at the moment when the Girondists had brought the red cap into fashion and done everything to excite the revolutionary fever, that they would have been disposed to respect religious scruples. The Assembly, goaded by a ministry which faithfully represented the opinion of the majority, resolutely and rapidly marched to its ends, which were the humiliation of royalty and the putting the refractory clergy outside the law. They commenced by completing the destruction of all which remained of the ancient religious orders. The Constituent had not ventured immediately to dissolve the teaching bodies; they had in many respects deserved well of France. The Legislative saw in them the last ramparts of the ancient Church, and it was in haste to reduce them to dust. Good Friday, the 6th of April, was well chosen to inflict this blow, so acute to Catholic hearts. Lecoz, Bishop of the Department of Ille-et-Vilaine, strove in vain to hinder this summary execution. The general discussion was immediately closed, and the deputy Lagreвол obtained the abolition of the exception maintained in favour of the Sisters of Charity whom he treated as vermin. Torné claimed, at least, respect for the illustrious orders which were being suppressed, but he finally aggravated the import of the law by demanding in terms, little suitable, the suppression of the ecclesiastical costume. The Assembly, in adopting this measure, forgot how much effect visible signs have on ignorant populations, and what irritation its decision was going very uselessly to excite in the provinces. The Bishop of Limoges, as soon as the resolution of Torné was voted, declared that he sacrificed his episcopal vestments for the maintenance of a National Guard; and Fauchet immediately put

* *Mémoires de Dumouriez*, II., p. 255.

his cap into his pocket—an act which appeared superb to the galleries.

The minister Roland knew how with a skilful art to maintain and increase the irritation of the Assembly against the refractory clergy. On the 16th of April he came to announce that disturbances having broken out in Aveyron, opinion accused the non-juring priests of them, and that their transportation was demanded. The Municipality of Montmeyran decreed their expulsion, and calm was re-established, although the measure was unconstitutional. The Assembly perfectly comprehended that this recital contained a counsel. On the 23rd of April Roland again drew the attention of the Assembly to the religious disturbances. He drew a frightful picture of them, the colours of which he heightened at pleasure; and he was merciless on the refractory priests, whom he represented as madmen, sowing everywhere, in communes and families, hatred and discord. He boldly acknowledged the flagrant illegality of repression; for he informed the Assembly that the departmental or municipal authorities, in most of the departments, had applied the decree of November 29th as if it had had the force of law, and had taken no account of the *veto* of the King. The nonjuring priests had been restricted in their residence to the chief town, and placed under severe surveillance. Very far from blaming these acts, unconstitutional in the highest degree, the minister reported, with evident approbation, the apology which their authors presented for them. "What," said these, "can religious toleration avail against the pride and avarice of the priests? It is not a mutinous multitude which rises against the non-conformists, it is the voice of the entire nation." Roland demanded, not that these illegal arrests should be stopped, but that they should be rendered constitutional, by voting more energetic measures and constraining the King to sanction them. He gave it clearly to be understood that the Assembly should con-

demn the refractories to transportation, for he cited with praise a letter from the Directory of Strasbourg, which demanded a decree of this kind.

François de Nantes laid on the table, on the 26th of April, the report which had been required from the Committee of Twelve, charged with the preparation of laws for the internal tranquillity of the kingdom. It is the most ridiculously bombastic and declamatory piece that one could imagine; he covered with the faded flowers of his rhetoric an abominable plan of proscription. The orator abandoned himself to the most outrageous insults against religion. He bitterly regrets the time when the first men consecrated altars decorated with leaves to a primitive God, whom he appears singularly to confound with the god of gardens. It is impossible to draw a clear idea from this sentimental bombast, if it is not the formal condemnation of all positive religion, and especially of Christianity. It is, above all, against the Pope that François de Nantes abandons himself to his insulting humour. He represents him as a comically-threatening prince who seeks to assume the attitude of the thundering Jupiter, but his powerless darts are blunted against the shield of liberty placed on the summit of the Alps. He compares him to a theatrical phantom, which the decorators cause to appear at their pleasure; and he announces in these terms the approaching end of his power: "Soon the slaves of a priest will remember that they were formerly citizens of Rome. They will say, 'It was here that Brutus lived, and Italy shall be free.'" Passing from these considerations, entirely out of place at the National Tribune, to the circumstances of the moment, François de Nantes acknowledges that their gravity had been much exaggerated, that if effervescence remains in the departments, the great majority of the citizens are nevertheless tranquil, and he attributes to fear and exaggeration the frightful picture which has been drawn of the state of the country. And yet he

concludes by demanding the severest measures against these very priests whose influence he has just contested, and whom, by a strange contradiction, he compares to thirty or forty thousand levers of counter-revolution. "We have arrived," said he, "at the point at which it is necessary either that the State be crushed by this faction, or that this faction be crushed by the State." He demands the restriction of residence to the chief town of the non-jurors ; the interdiction to them of the right of teaching, preaching, and confessing ; and transportation in case of resistance. At the same time he opposes every repressive measure against the clubs, which he represents as the great school of liberty for the French people. Français de Nantes laid down these same propositions in a new report, presented on the 4th of May, still more violent and ridiculous ; we read there rural descriptions of desolated provinces and prosopopœias, such as this : "O Rome ! art thou satisfied ? Are greater ills still necessary to thee ? Art thou, then, like Saturn, to whom every evening new holocausts are necessary ? Resume thy fatal militia. Go forth, workers of discord ; the soil of liberty is weary of bearing you. What a festive day for liberty the day of your departure ! What a consolation will it be for the country when it shall have vomited from its entrails the poison which devours it ?" The orator finishes this speech, designed to propose the proscription of a whole class of citizens, by asking that the chafing-dish of Scévola should be brought, in order that he might show his love of country and of liberty. He would have given a better proof of it if, instead of offering to burn his hand, he had never used it to write such a plan, which was about to end in too real sufferings for thousands of priests.

In the debate which opened on the 16th of May, most of the orators surpassed the draft of the decree. Lecointe-Puyraveaux insisted that they should pronounce the transportation of all non-jurors without distinction. Vergniaud thought himself moderate

in proposing that they should continue the pensions to the refractory priests who would consent to banish themselves without delay. He thought good to enliven the discussion by this irony, very little generous under such circumstances: "I do not doubt that in Italy they may be received as holy personages who are persecuted, and the Pope will be able to see in the present which we shall have made to him of so many living saints, only a testimony of our gratitude for the arms, heads, and relics of dead saints, with which he has, for so many centuries, gratified our credulous piety." The ex-Capuchin Chabot showed himself disposed to abandon the clause of the oath, provided that they could constrain every nonjuring priest, on the requisition of twenty active citizens to take the engagement, not to disturb the public tranquillity. They laid aside the proposal to abandon the oath, and retained as good that of making the restricting of the residence of the refractories to the chief town to depend on the requisition, or rather, the denunciation of twenty citizens. The party of moderation and liberty had only two defenders: Ramond, who once more claimed universal toleration and full religious liberty; and Moy, parish priest of Saint Laurent, a priest not much of a believer, imbued with philosophical ideas, but who had the honour, that day, of boldly branding the Civil Constitution of the clergy, and of denouncing it as the cause of all the evils from which they were suffering. "You will have done nothing," said he, "for public tranquillity, if you do not tear from your laws this chapter of theocracy, which is found inserted therein, as the bad principle by the side of the benevolent principle." He demanded the abrogation of every oath. "The best means," added he, "of avoiding religious disturbances, is to maintain the most entire liberty of religious opinions, and to render all worships equal in the eyes of the law." He plainly indicated that the abolition of the payment of worships was the natural consequence

of his motion. It was still a seed for the future, but which could not germinate in a soil torn by so formidable a strife. Ramond and Moy were violently opposed, on the 24th of May, by an obscure priest of the name of Ichon, who refused the character of worship to the assemblies of nonjurors, and compared them to reactionary clubs. The deputy Larivière read from the tribune the famous chapter of the *contrat social*, in which religious liberty is entirely sacrificed to popular sovereignty, and in which the State-creed is declared demandable from each citizen, under penalty of death. A more artless deputy proposed that they should simply convert this chapter into a motion. To what good? They had been doing nothing else for more than a year than commenting upon it and applying it. Guadet carried the vote, by some energetic words, in favour of a motion which decreed the transportation of every ecclesiastic denounced to the department by twenty active citizens, if the opinion of the district was conformable; in the contrary case, an inquiry was immediately to be made. The Assembly had well-nigh decided that no inquiry and no control should be necessary. Such was the decree of the 25th of May, 1792, which singularly aggravated that of the 29th of November of the preceding year, and which was again to place before the King the question of the *veto*.

War had just broken out on the frontiers; its commencement had not been happy, and they blamed the Court for it, whom they suspected of being in secret conferences with the foreigner. The Assembly, in the sitting of the 29th of May, took away from the King his guard of honour; then it ordered the formation of a camp of twenty thousand men around Paris—a true Revolutionary army which caused the executive power to pass into their hands. The ministers coupled this decree with that on the transportation of the priests, and presented them together to Louis XVI.; he rejected them both. Roland then read to him, in full council,

a haughty and imperative letter. He gave to him severe lessons, in the most surly tone, and sharply insisted on the necessity of sanctioning the decree against the priests. "If this law is not put in force," said the minister, "the departments will be compelled to substitute for it, as they are doing in all parts, violent measures, and the irritated people will make up for it by excesses." It was lawful for Roland to come to the Tuileries in shoes without buckles, but not to school the King to his face. The ministry was dissolved, and Dumouriez could not re-constitute another, in face of the persistent refusal of the prince to sanction the two decrees. Without doubt, his scruples had been strengthened by the "Observations critiques sur la loi du 26 Mai, 1792" ("Critical Observations on the Law of the 26th of May, 1792"), published by the Archbishop of Aix. It contained these noble words: "What is the crime of these fifty thousand French whom they are preparing to banish? That of their religion. Their crime is the being unwilling to commit a perjury. The question here is of conscience, which is not to be commanded."* As soon as Roland was deposed from his functions, he caused his letter to be read to the Assembly, when congratulations and regrets were voted to him as well as to Servan and Clavière.

The new ministry was composed of obscure Constitutionalists, like Chambonas and Duranton; they were incapable of leading back opinion to the cause of justice. Accordingly, they only exasperated the revolutionary passions by covering the royal *veto* with their responsibility. Never was a great public duty fulfilled with so much powerlessness.

Lafayette, dismayed and indignant with all that was being prepared, wrote from his camp an eloquent letter to the Assembly, in which he denounced the conspiracy of the clubs, and adjured them

* Jæger, III., p. 201.

to respect royalty and religious liberty. Applauded at first, his letter was, notwithstanding, referred to the Committee of Twelve, under the pretext that it was not authentic, instead of being despatched to the departments as had at first been demanded. It obtained for answer the violation of the palace of the King on the 20th of June. The riot had been prepared by the Municipality; it met with no resistance in the Assembly, and the royal majesty was odiously profaned, without having been for one instant seriously defended. The people, who invaded the Tuileries, boldly avowed their design; it was the *veto* which their rage pursued. The unfortunate prince was dressed with the red cap and loaded with gross insults for having protected religious liberty. Lafayette, indignant, hastened to Paris. Between the suspicions of the Court, and the anger of the Jacobins, he could harmonise nothing, and he set out again for his army, sick at heart. The great movement of 1789 was, for the moment, ruined; liberty was drowned in a feverish demagogism, which was to be great only at the frontiers, whilst its foam, soon to be stained with blood, was cast over Paris and in the departments. Already had its furious waves submerged the most precious rights, and they beat every day, as an irresistible tide, against the tottering and dishonoured throne of Louis XVI.

It was at this moment that Vergniaud pronounced against the King the most eloquent speech that France had heard since Mirabeau. Unfortunately this thunder was going to strike an adversary overwhelmed with ignominy and almost crushed. The only excuse of the great orator was in the supreme peril of the nation, for foreign invasion was commencing on a very extended line of frontier, and the Girondists were not deceived in believing in the moral complicity of the Tuileries; but what also had they not done to push to extreme an honest, but irresolute prince, whom they had deprived of his means of legitimate

defence, by treading under foot his Constitutional rights, and openly violating his Christian conscience? Vergniaud replied on the occasion of the report of Pastoret, *on the situation of France*, which had been read to the Assembly on the 30th of June; the orator there sustained, in moderate language, the decrees issued on the religious disturbances. The illustrious Girondist did not follow this example; he characterised, in terms equally severe, the indulgence of the King for the refractory clergy, and his presumed connivances with the foreigner. "I know not," said he, "if the sombre genius of Médicis and of the Cardinal of Lorraine still wanders under the vaults of the palace of the Tuileries, if the heart of the King is troubled by the religious terrors by which he is environed. But I cannot believe, without doing injury to him, that he wishes to encourage by impunity, the criminal attempts of pontifical ambition; that he refuses to adopt repressive measures against fanaticism, in order to incite the citizens to excesses, inspired by despair, and condemned by the laws. The *veto* set on your decree has spread, not that dull stupor under which the oppressed slave swallows his tears in silence, but this sentiment of generous grief which, amongst a free people, arouses passions and increases their energy. . . . Teach France that henceforth ministers shall answer with their heads for all the disorders of which religion shall be the pretext.* Matthieu Dumas justly replied that these disorders were produced only where religious liberty was trammelled; and that the surest means of preventing them was to follow the policy of the royal *veto* so violently attacked. But in July, 1792, it was of very little use to be right, especially when a measured speech was opposed to an harangue heated with the fire of the passions of the moment, and animated

* Sitting of the 3rd of July, 1792. See the second volume of the "Souvenirs de Matthieu Dumas."

with a poetic and sublime eloquence. The speech of Vergniaud, read with enthusiasm by all France, inflicted the last blow on the monarchy, and everywhere revived the persecution of the refractory priests.

The most unjust measures were taken against the refractory, and executed in several departments, with a brutality without parallel. The nonjuring priests endured everywhere the counter-blow of the 20th of June. They were crammed into the prisons of Lyons, Chalons-sur-Saône, and Angers. In this last town, those amongst them who had been until then lodged with the inhabitants, were shut up in close places, where they suffered horribly from the heat. Similar scenes took place at Dijon and in Morbihan. The Directory of Finistère pronounced the exile of the refractories, as if the *veto* had been removed. The province becoming untenable by the members of the nonjuring clergy, on account of the difficulty of finding there sure retreats, they flocked to Paris. They there assumed all kinds of disguises, and gained their living by giving themselves to some trade, as baking or gardening. Others engaged themselves in timber-yards, and under coarse garments went to draw out the wood floated by the Seine.* Even before September, several priests were massacred. At Vans, in Ardèche, Bravard, priest of the congregation of Saint-Sulpice, was put to death for having refused the oath. The Abbé Noir, a young priest of twenty-eight years, resisted the tears of his father, saying to him: "It will be sweeter for you to see a martyr son than an apostate child," and perished under the axe. At Bordeaux, an ancient vicar-general of the diocese, thrown into an obscure and unhealthy prison, repeated with happiness, this passage from the Acts of the Apostles: "They went out from the council rejoicing that they were counted

* Jæger, III., p. 244-261. Barruel, I., p. 180.

worthy to suffer shame for the name of Jesus Christ." He was massacred in the court of the Bishop's palace, which had become the capital of the department. A good number of persecuted priests were heard crying: "Behold the beautiful days of the Church! Behold the time of trial, of courage for her true children!"*

The 20th of June was necessarily to lead to the 10th of August. The Lamourette kiss did not procure a day of truce, after having appeared to seal the reconciliation of parties. The suspension of Pétion by the King, for his complicity or negligence at the time of the outbreak of June, the discussions provoked by this incident, his triumphal re-instatement, the approach of the foreign armies, the proclamation of the danger of the country, the arrival of the Marseillaise conspirators, all contributed to increase, every day and almost at every hour, the Revolutionary fury of the people of Paris. We know now, thanks to certain documents, that the Municipality of Paris, with its Mayor at its head, took the initiative of the 10th of August.† That terrible day carried away, with the same stroke, the Monarchy and the Gironde; for from that day the latter ceased to hold the head of the movement. From September, the Mountain used its victory before even taking the trouble to form to itself a majority. Those who had opened the sluice were the first submerged, and submerged in the blood of their enemies, whom they wished indeed to banish, but not to massacre.

We must, nevertheless, still lay to their charge the decree of proscription against the priests which the Legislative Assembly hastened to vote as soon as they had freed themselves from the King and his right of *veto*, and which aggravated even those

* Barruel, p. 295.

† See the recital of M. Mortimer-Ternaux, in the second volume of the "Histoire de la Terreur."

that it had proposed to him, and which the Assembly hastened to sanction on the very evening of the 10th of August. Some days before (the 4th of August) the convents of women still preserved had been suppressed, and a great number of nuns had been cast into the street without asylum and without relatives. On Sunday, the 17th of August, a letter from the department of Var, announcing that they had rid themselves, by transportation, of the non-juring priests, was read to the Assembly. Lequinio demanded that the measure should be applied to the whole of France, and his motion was referred to the Extraordinary Committee. Wearied with the delay with which it gave in its report, Benoiston proposed, on the 23rd of August, the draft of a decree, according to which all ecclesiastics who had not taken the civic oath were bound to quit the kingdom within a fortnight; this was to demand the proscription of a whole class of citizens, or rather the proscription of an opinion. Cambon found that the measure was insufficient, and asked that they should decide to transport all the refractories to Guyana. Lasource and Vergniaud protested in the name of justice. Their claim in its favour was tardy; they had too many times sacrificed it to the public safety for their voice to have any authority. It was easy to foresee that just as 1792 had conquered 1789, 1793 was going to carry all before it. The Convention had in some measure risen at the bidding of Cambon, with its firm decision to push to the last extremity the policy of the Gironde: which was to be its greatest chastisement. The Assembly had not time to vote the motion of Benoiston; the people of Paris amended it in a terrible manner some days later.

The Legislative, before entirely losing the reins of the political movement, had realised a great reform, destined to survive all its violent decrees, because it answered to the true needs of New France. On the 15th of February, Muraire presented a report,

which concluded by demanding that the registers of the Civil State should be transferred to the Municipalities. "When the Catholic religion," said the reporter, "was the only one acknowledged in the kingdom, it was necessary to apply to the ministers of worship in order to authenticate the principal periods in the life of the citizen; but since toleration has taken the place which is secured to it by reason, why should it be necessary that he who does not acknowledge the ministers, with respect to worship, should be obliged to acknowledge them in order to prove his social standing?" Despite the opposition of some members who, like François de Neuchateau, dreaded to increase the religious disturbances by an innovation so radical, the measure was voted, in principle, on the 22nd of June, in these terms: "The Municipalities shall, for the future, receive and preserve the records designed to authenticate in the empire, births, marriages, and deaths." The country was decidedly ripe for this reform, for it was destined to survive all its revolutions. It is greatly to be regretted that the legislators who voted it should have denied the spirit of it with so much perseverance by unceasingly confounding the temporal and the spiritual, and by pursuing not only factious intrigues, which was their right, but opinions, which was their unpardonable fault.

They dearly expiated it when they learnt that the blood of the priests had flowed in streams on the frightful day, which may with good reason be called the Saint Bartholomew of demagogism. It does not enter into our plan to recount, after so many eloquent historians, those terrible scenes which show us a polished age, benevolent on the surface, slipping in blood and mire, as if to recall to us what formidable powers slumber in human nature in a state of repose, ready to go forth unbridled at the first call. It was, doubtless, thought that manners of all classes were softened since the violent sixteenth century, and that civilisation had sufficiently pared the claws of the tiger. What a surprise when the populace

of Paris was seen rushing forth from its faubourgs as cruel, as thirsting for blood, as the people of the League raised by mad monks. It is because a multitude without God is tantamount to an idolatrous multitude. The Jacobin of the atheistic philosophy is the worthy heir of the Jacobin of the sixteenth century, the accomplice of Jacques Clément. Very far from excusing the first by the second, and from justifying one crime by another under pretext of a merited revenge, it is necessary to react with all one's strength against that weakening of the historic and moral sense which explains and extenuates facts, where we ought to condemn the guilty without mercy.

We leave to others the task of painting this city plunged in stupor, close as a vast dungeon, covered, by the law of the suspected, with a veil of unutterable terror, traversed without ceasing by those drunken patriots who search the houses at every hour of the day and night, and so prepare the colossal assassination upon which the Commune has decided. All the contrasts of human nature then appeared, as is always seen in those tragic events which move it to its depth; women carrying heroism to its last limits; executioners, seized with a sudden sensibility, as eager to save as they were to massacre, in order to return with an equal ardour *to their work*; sublime acts, and such Saturnalia as the past had not known; the purest devotedness, and what is vilest and most atrocious, massacre for robbery; nothing is wanting to these days, the horror of which no recital will ever exhaust. That which it concerns us to bring out, is that the massacres of September were at first directed against the refractories. One of the sections of Paris, that of the Faubourg Poissonnière, openly voted the massacre of the priests in the following resolution: "Considering the imminent dangers of the country, and the infernal manœuvres of the priests, resolves that all priests and sus-

pected persons shut up in the prisons of Paris, Orleans, and elsewhere, shall be put to death." *

We have only to read the narrative so sincere and so touching of the Abbé Sicard to be convinced that the nonjurors were the first victims marked out. That artless word of a workman to a prisoner, "*If thou art a priest, thou art done for*," † is the best explanation of those abominable days. At the Mayoralty of Paris, at the Abbaye, at La Force, at Saint-Firmin, at the Carmes, they were slain *en masse*, and the provinces did as Paris. At Rheims, amongst numerous massacred priests, the Abbé Paquot thus replied to those who pressed him to take the oath: "My choice is made. I prefer death to perjury; if I had two lives I would give one of them for you, but since I have only one, I keep it for God." ‡ The refractories displayed in these circumstances the most noble courage, and refused, before the sword of the assassins, to pronounce against their conscience an oath which would have saved their life. There is nothing finer in the history of martyrdom than the scene of the Carmes; there was there an emulation of holy heroism, accompanied by a pious tenderness. The venerable Archbishop of Arles, thanking God for having to offer to Him his blood; these priests who confess each other, and who give each other the kiss of peace before dying; these sweet and firm responses, worthy of the time of Irenæus; all these imposing manifestations of a religion yesterday still so discredited, light up the close of an incredulous age with a truly heavenly light, and reveal God with an extraordinary potency at the moment that an impious decree is soon to try to banish His worship. From all this shed blood there rises an energetic voice to say to the possessors of the

* Buchez and Roux, "Histoire Parlementaire," XVII., p. 411; Mortimer-Ternaux, "Histoire de la Terreur," III., p. 217.

† Buchez and Roux, "Histoire Parlementaire," XVIII., p. 118.

‡ Mortimer-Ternaux, "Histoire de la Terreur," III., p. 307.

civil power : Never touch conscience ! It is thus that it goes forth pure and glorious from your blows, whilst dishonouring you.* A great number of priests who had escaped the massacre set out for exile, where they mostly met with a generous hospitality, especially in England. Maury, nevertheless, remained in France to celebrate in secret the proscribed worship, in the midst of the greatest perils. The Legislative, whom the voice of Vergniaud had not been able to awaken from its torpor since the commencement of the massacres, was about to be replaced by the Convention, and that tells all.

* See the whole eighteenth volume of Buchez and Roux; see especially the remarkable third volume of the "Histoire de la Terreur," by Mortimer-Ternaux. There is nothing to be added to this inquiry, which proves the abominable calculation of the organisers of the massacre who sat at the council of ministers with Danton, and at the commune of Paris, the shameful inactivity of the Assembly, and the ignominy of the executioners, altogether robbers and murderers. M. Mortimer-Ternaux permits us to take them in the fact, *their feet in blood and their hand in the pocket*.

Chapter ii.

The Church under the Convention to the Abolition of the Payment of Worships.

DURING the first period of the Convention, the nonjuring priests are included in the proscription which touches all those who appear attached, by interest or principle, to the ancient *régime*. It is not necessary to take new measures against them; the decrees of the Legislative have only to be ratified, or, rather, it is enough to apply to them the laws voted by the new Assembly, against the real or supposed enemies of the Revolution. Thus, although their sufferings increase every day, they occupy much less place in the deliberations. From the first days we perceive that, certain of crushing the nonjuring clergy, the Convention begins to be occupied with the clergy who had taken the oath, that it regards them as a last rampart of privilege and superstition, and that it aims already to overthrow them with all that they recall and represent. We shall see that when the moment of striking a great blow shall have come, religious questions will be again spiritedly raised in the press and at the tribune.

If we have been severe on the Legislative, we shall not be tempted to be indulgent towards the Convention. With it decidedly ends, and for long years, the reign of law. It is there only to sanction the reign of the clubs and faubourgs, the reign of tumultuous and cruel sedition which governs it from the height of the galleries, whence proceed those imperative clamours which

the Assembly has always ended by obeying. I find nothing in me to admire these Saturnalia of demagogism; I hate them as I hate the tyranny of the Cæsars, which was also the reign of the populace. When historians, grave rather than serious, tell me that through these massacres the great French Revolution advanced and strengthened itself, I ask what kind of chimera is that Revolution, which marches with Robespierre and Marat in 1793, as it will march with Napoleon? In any case, it is not that of Mirabeau and Lafayette, that which proclaims right and liberty; it is no more than a blind and terrible force which replaces the ancient iniquity by a new iniquity, and brings back despotism instead of destroying it. They reply by showing us the soil, which is parcelled out and passes into the hands of a multitude of peasants and citizens, thus giving a basis and proper position to the great body of the people. But with what right do they give honour to the Convention for the consequences of a measure which was taken by the Constituent, and which dates from the famous night of the 4th of August? Is it that all this blood which has been shed has truly enriched the newly-acquired furrows? They remind us of the philanthropic decrees of the Convention. It multiplied hospitals,—a very good thing,—but that was not a reason for enlarging cemeteries, and daily casting into them the horrible leavings of the scaffold's repast. It laid the bases of our great establishments of public instruction; but if it had continued, it would have rendered science, as an elementary study, impossible, by keeping the country in revolutionary fever. To all these objections they oppose the heroic defence of the country. That is sublime; but, as Manuel said at the tribune of the chamber of the deputies, those who were fighting at the frontiers escaped the crimes of the interior; they purified themselves in the fire of the enemy. Let us acknowledge, moreover, that one thing was great in this period of the Revolution, that was energy; but it was an

energy which no moral principle either directed or restrained; it was the intoxication of a powerful race who had much to avenge, much to conquer, and whom a supreme peril exasperated. Salutary and imposing in face of the enemy outside, it was terrible and without curb in presence of the enemies within, or of those who passed for such. This energy gave birth to miracles of courage on the Rhine or Schelde, and drove to unheard-of crimes at Paris and Lyons. If we unreservedly admire it in the armies, we as unreservedly execrate it in the clubs and streets, and, above all, on the Place de la Révolution, where its incessantly-reviving fury satiated itself. Let us not forget that mere energy is still only brute force, and that those who praise the Convention because it was energetic, will equally praise Napoleon because he was strong, as unfaithful to liberty in the first judgment as in the second. It is not enough to say of the Convention that it was energetic; it was violently fanatical. It had all the intolerance and pretensions of fanaticism; and first and foremost, that of reaching and proscribing even thoughts and feelings. The law of the suspected with the formidable extension which it took, was no other thing than an attempt to strike not only acts but ideas. Nothing more resembles the Spanish Inquisition than the Revolutionary Tribunal in the decisions of the Convention. The penalty of death is constantly invoked or pronounced against those who shall think or speak in such or such a manner. Let there be no mistake; the revolutionary war is a war of religion, a war of opinion, for demagogism becomes a sort of fierce and cruel worship, which no more admits schism or heresy than did the Dominican of the thirteenth and fourteenth century. Hence the immense proportions of the struggle. The Convention also practised the large and convenient morality of all fanaticisms; the end which it pursues justifies, in its eyes, all the means which it employs, even the most atrocious. The doctrine of the public

safety covers all its crimes, and it no more hesitates to strike its own members and to sacrifice its most illustrious orators to the fury of the clubs, than it hesitates to send the King to the scaffold after a mocking trial. It does not judge, it kills, and before killing it insults. That is its whole policy; and as it unites all powers, it can follow, even to the end, the impulse of its wrath or the furies of the frantic demagogism of which it is the emanation and often the instrument.

From such a *régime*, despotism alone must ensue through the excess of fatigue and disgust. For a long time the remembrance of the Convention was to stand up as a phantom between the modern world and liberty. It is necessary to make an end of this revolutionary legend, which deceives the people, annuls the severe and salutary lesson so dearly paid for, and favours all the reactions, which live only by this misapprehension. Render liberty hideous, and you have deserved well of all despotisms. Now, this is what all those do who excuse revolutionary crimes, and compose a kind of democratic martyrology with names which, for being terrible, are not the less branded with infamy. I agree that the Girondists retrieve themselves at the Convention, but we forgive them only from the moment when they abandon their own maxims, and defend the right, after having too long trodden it under foot. The part that most of them take at the trial of the King is without courage; they do not venture boldly to save him; they stop at a half measure, and in the end, sacrifice him to their parliamentary influence. If the whole party had spoken like Lanjuinais, the Assembly, resolutely directed, would not have passed over to the most violent, because these last would not have been the strongest. The true way to triumph over Robespierre, was not to hurl against him the burning philippics of Louvet and Barbaroux, it was to stop him by an inflexible vote on the day when he declared, in a speech which was pronounced admirable,

that it was not necessary to judge the King, but to put him to death. We go heartily with the Gironde, when it valiantly strove, with all the splendid eloquence of Vergniaud, with all the energy of Guadet, with all the generous indignation of Ducos, against the pressure of the clubs and sections, and against that abominable Commune of Paris, in which, since September, we can see only a haunt of assassins; but we recollect too well that these same men, under the Legislative, relied on that dangerous force of riot, and that the austère Pétion favoured the 10th of August. It is only from the 31st of May that our entire heart goes with the proscribed, fugitive, or sacrificed Gironde. This sudden disappearance of so much youth, talent, sincere although often mistaken enthusiasm, always seems to France a new mourning. But apart from some particular men, such as the honest Carnot, whose silence in the presence of so many crimes should not be excused, what name is there to propose to our admiration in the left, henceforth mistress of the ground? Danton appears the very image of that audacity which he preaches, but he has never been able to wash his hands of the blood of September. Camille Desmoulins is always that formidable wag whose pleasantry kills; witness his biting pamphlet on the Brissotins. A gleam of courageous pity absolves neither him nor his chief in the face of the bull. Robespierre, closely studied, appears ever more and more as one of the worst enemies which liberty has had, and one of the most convicted. This tribune-declamer never loses an opportunity of praising the false popular sovereignty, and of squandering for it all the rights which make men free. I know nothing so hideous as the levelling fraternity which he proclaims, in speeches which smell of oil as well as of blood. He raises himself only on the dead bodies of his enemies, and he too well remembers that they are his rivals. This mingling of the consul and the soured academician is odious. His ideas are

foolish: they are the reduction to absurdity of the *contrat social*. Decidedly it does not suffice to me to pardon Robespierre, to see him in the little room of the joiner Dupleix, writing at his walnut-table an elegant speech, whose language is not only polished but sharpened, since it is to cause some heads to fall. As to Marat, "all dripping with gall, calumny, and blood," according to the energetic expression of Vergniaud, that he found a French Assembly to listen to him, and a people to carry him in triumph, that is a blot on our history. Neither the fine figure of Saint-Just, the calm executioner, nor the pastoral poems of Barrère, with his two speeches in his pocket, in order not to miss the wind which is about to blow, nor the elegance of Garat, nor the infirmities of Couthon move me. I ask what is the liberty which the Convention has not resolutely, cruelly, and in the issue, uselessly trodden under foot? What is the principle of 1789, that it has not violated or suppressed, from the liberty of assembling, and of the press, even to religious liberty? Is it not it which has pushed to the extreme the system of centralisation, so well that the empire found under its hand the most perfect mechanism of despotism all prepared? Vergniaud, too slowly enlightened, has admirably defined the liberalism of the Convention in these noble words: "There has been seen developed this strange system of liberty, according to which they say to you: You are free, but think as we do on such or such a question of political economy, or we denounce you to the vengeance of the people. You are free, but bow your head before the idol which we worship, or we denounce you to the vengeance of the people. You are free, but associate yourselves with us to persecute men whose uprightness and intelligence we dread, or we will denounce you to the vengeance of the people. Then, citizens, we may well fear that the Revolution, like Saturn, will devour all her children, and give birth at length to despotism, with the calamities which accompany it."

Before resuming the history of the Church of France during these stormy years, let us rapidly recall the general measures which were decreed by the New Assembly for crushing all resistance. After the death of the King, in the midst of the formidable conflicts which were foreseen, and which the continual struggle in the midst of the Assembly between the Gironde and the Mountain foretold, the establishment of the Revolutionary Tribunal was decreed on the 9th of March, 1793, in these terms :—"The Convention decrees the establishment of an extraordinary tribunal, without appeal, and without recourse to the tribunal of Cassation,* for the trial of all traitors, conspirators, and counter-revolutionists." Lanjuinais thus characterised this measure :—"A decree frightful in the circumstances which surround us, frightful in its violation of all the principles of the rights of man, frightful in the abominable irregularity of the suppression of appeal in a criminal matter." The courageous deputy demanded that at least this calamity should be extended only to the department of the Seine. He was not listened to, and the whole of France was covered with these terrible engines of proscription, whose murderous work was pursued without hindrance, for nothing was a greater mockery than that picked and sordid jury which they had yet granted with difficulty, and which had not even the protection of closed doors for its deliberations. The Committee of Public

* *Tribunal de Cassation*.—The Supreme Court of Appeal to which is delegated the right of annulling (*casser*) a decree or judgment. It was created by a law of the 27th of November, 1790. Since May 18th, 1804, it has borne the name of "Cour de Cassation." It is established to maintain in the whole French territory, the unity of legislation and principles, and to see that the different jurisdictions remain within the limits of competency marked out to them by the law. The Court of Cassation takes cognisance only of the violation of the forms, and does not at all concern itself with the matter.—Bescherelle, "Dictionnaire National."

Safety was instituted on the 22nd of May, 1793, on the demand of Isnard, who did not suspect the approaching fall of his party. The Girondists had been expelled and proscribed on the 2nd of June, in consequence of the successive riots which had agitated Paris. The Mountain was henceforth mistress of this Committee, which secured in its own hands the dictatorship, and by its very appellation excused, beforehand, all the infractions of the laws. With these two formidable instruments, the Committee of Public Safety and the Revolutionary Tribunal, the Convention could crush, without delay, all opposition of whatever nature it might be. The refractory clergy were marked out beforehand to the proscribers, and were to be the first struck.

The dispositions of the New Assembly, with respect to religion, were in every point similar to those of the Legislative. It contained a good number of declared atheists, who wished to destroy everything which recalled the ancient faiths. Some Constitutional bishops, of whom several were to show the most signal cowardice and strikingly to apostatise in the day of peril, some Jansenists, priests or laymen, alone represented the Christian faith. The disciples of Rousseau held to his sentimental Deism, which associated itself perfectly with intolerance. Robespierre did not wish a shameless impiety, and lost no opportunity of rendering homage to the Supreme Being. The Girondists, with one or two exceptions, were fervent disciples of the philosophy of the eighteenth century, and some amongst them professed a kind of irreverent enthusiasm against all positive religion. We are reminded of the declaration of Isnard, that he acknowledged no other God than the law. These sentiments are expressed with a certain energy in one of the first debates of the Convention. A Bill of Lanthenas, on Public Instruction, was being discussed, which proposed the creation of free primary schools throughout the Republic. Durand Maillane, a very pronounced partisan of the Constitutional religion, had

combated the article which declared *that since instruction ought to be common to all citizens without distinction of religion, all that concerns religious worships should be taught only in the temples.* Jacob Dupont, a deputy of the party of the Gironde, replied to him with great vivacity, and professed a burning hatred against Christianity :—"What," said he, "thrones are overturned, sceptres broken, kings expire, and the altars of the gods remain still standing! Nevertheless the overturned thrones leave these altars bare, without support and tottering. Do you believe, citizen-legislators, to found and consolidate the French Republic on other altars than those of the country? Nature and Reason, these are the gods of man. Behold our gods!" Jacob Dupont had no need to add after this declaration, that he was an atheist. He concluded by demanding that they should abolish religious as well as political tyranny, and that they should establish true liberty on the negation of all prejudices. The French, according to him, would be truly free only when they should have completely rid themselves of the yoke of the priests, and should know how to die without them, like D'Alembert, who needed no one beyond Condorcet to close his eyes. This speech provoked, indeed, some murmurs, but it was favourably received by the majority of the Assembly.* Ducos developed the same opinions in more moderate language. "The return of prejudices," said he, "behold the true counter-revolution. Hasten to prevent their influence by giving to the people primary schools." He meant that religious instruction should be totally banished from them. One of the reasons which he gave for this exclusion was excellent, and could be very well reconciled with respect for religion. He remarked that instruction being due equally to all citizens equals in right, the forced interference of a priest would not be compatible with this perfect religious

* Sitting of the 14th December, 1792.

equality. Where was the use of adding an insult to religion by saying—"The first condition of public instruction is to teach only truths : behold the decree of exclusion of the priests. For my part, I confess, I would rather abandon to them the finances of the Republic than the education of the young citizens ; I would rather ruin the public treasury than pervert and corrupt the public mind." Such were the dispositions of the Gironde in regard to religion. We thence understand how little they esteemed religious liberty, and that its rights were the last with which they occupied themselves. The Constitutional Clergy might already foresee that they would not be long under the shelter of a protection so disdainful. It was decidedly against religion itself that hostile designs were cherished.

The Assembly, however, outstripped the opinion of the country by such manifestations, not only in the provinces of the West and South, but even in Paris. Fickle and ardent, the working class of this great city passed from hatred against the clergy to a strange attachment for the ancient customs of the religious life. Several sections exclaimed with energy, in December, 1792, against a resolution of the Commune which had prohibited the celebration of the midnight mass. We see, through the outrageous narration of the "*Révolutions de Paris*," that the movement was truly popular, for it broke out especially in the poorest quarters, and it was sufficiently pronounced for the adversaries of religion to believe themselves obliged to propose a premium for the citizens who should not have celebrated the midnight mass. The Commune tried to abolish the Festival of the Kings, but it only provoked a great scandal. Some women wished to hang a man whom they took for Manuel. The Festival of Saint Geneviève was celebrated with enthusiasm by a considerable crowd of peasants and ignorant people. "The crowd was so great in this age of light," we read in the "*Révolutions de Paris*," "that more than a thousand persons were not able to get into the church." The following

year was to witness, in the same places, the Saturnalia of the Worship of Reason ; but popular opinion, to be able to endure them, required to be excessively excited by the most furious provocations, or to be restrained by terror. Impiety descended rather than ascended. We shall accordingly see the Catholic worship re-established with an astonishing facility so soon as a little calm shall be restored to the country.

Religious persecution was not arrested a single day during this period of the Revolution ; it tended more and more to involve all priests without distinction. The nonjuring clergy had, however, for a long time the honour of the greatest sufferings. The formula of the oath had been modified since the abolition of royalty. The Legislative Assembly, the same day on which it had suspended Louis XVI., had decreed for all functionaries the oath to *liberty* and *equality*.* This new formula at first seemed more acceptable than that which demanded a formal adhesion to the Civil Constitution of the Clergy. Nevertheless it carried with it the acceptance of the new order of things ; it was necessary to subscribe to liberty and equality such as the Convention wished it, after having based it on the sacrifice of the King and on its terrible laws of proscription. Conscience was alarmed by an approval which became every day more difficult.† The number of the nonjuring priests did not diminish, and their sufferings only increased. The alarms caused by the rising of La Vendée and the revolt of Lyons, intensified the rigours against them. They were considered as the prime movers of the counter-revolution at home and abroad. A severe decree was passed against those of the emigrant refractories who should be seized on French territory, and domiciliary visits were authorised

* Sitting of Wednesday, 15th of August, 1792.

† The exhibition of these scruples may be seen in Barruel, II., p. 285.

in all the houses where it could be supposed that they were concealed. It was decreed, in the sitting of the 18th of March, 1793, on the proposition of Charlier, that whoever recognised an emigrant or a banished priest who should have returned to France, was authorised to arrest him, and have him conducted into the prisons of the department, to be executed within twenty-four hours. The priests who had fled for refuge to the foreigner, fell under the blow of the terrible law against the emigrants which declared them perpetually exiled, civilly dead, and pronounced against them the confiscation of their property.* The more the country was threatened by hostile armies outside, by sedition and civil war within, the more the refractory priests were pursued with fury and treated with barbarity.

The Legislative had decreed the extradition of the nonjurors; this was the occasion of a multitude of murders. The populations, rendered fanatical by the clubs, threw themselves in their path, demanded of them to take the civic oath, and too often massacred them on their persistent and heroic refusal. Sometimes they robbed them before putting them on board, and even fired cannon on the barks which carried them. This happened at Havre, Dieppe, Rouen, and Quilleboeuf.† When the Convention substituted transportation for extradition (27th of April, 1793), the journey of the priests towards the place of their imprisonment, whilst awaiting a departure always deferred, was a long punishment. We may be convinced of it by the narrative of one of them who made part of the convoy of the refractories, sent in March, 1793, from the department of La Nièvre to Nantes. Arrived in this city, these unfortunate priests were flung pell-mell on a boat, exposed to the worst treatment, and they would have died from hunger but for the charity of the Nantese. Gangrene broke out

* Sitting of the 1st of March, 1793.

† Barruel, II., p. 318-325.

in their midst, and their only consolation was to commune together twice a day. They were at length conducted to Saint-Nazaire and Brest, but not without their ranks having been greatly thinned by death.* The Convention had decreed that the refractory priests should be transported to Guiana. Danton demanded, on the 23rd of July, that this decree should not be put into execution. "We must not," said he, "avenge ourselves for the poison which we have received from the New World, by sending to it a poison not less deadly. It is in the empire of the Holy Father that we must concentrate this priestly mephitism." Lacroix proposed that they should throw them into prison, and that they should be made to gain their living by hard labours. Robespierre insisted on the execution "of the wise decree," which withdrew from the French soil the contagious pestilence of the fanatical priests. "We forget," said he, "that if they remain in France, a counter-revolutionary sedition might at any instant deliver them, and let loose these ferocious beasts in the midst of us." The remission to the Committee of Legislation was decided, but the putting into execution of the decree of transportation was rendered impossible by the want of money and by war.

The refractory priests were crammed on hulks or sent *en masse* to the scaffold. At Lyons, Collot d'Herbois, in a single day, condemned to death a hundred and twenty. Lebon, at Arras, shed their blood in torrents, and they figured in a large number in the drownings of Nantes. The Revolution was not less cruel towards the nuns. Those of Compiègne had been shut up in the house of Port Royal; they gave this noble answer to their persecutors, who charged them with fanaticism:—"Fanatics slaughter and kill. We pray for them." "You will be transported."

* Narrative of François Moreau in the "Histoire du Clergé de France sous la Révolution," II., p. 292, &c.

"To whatever place that may be, we shall pray." "Where do you wish to be transported to?" "Where there are the most unhappy to be consoled, and that is nowhere so much as in France." "If you remain here, it is to die." "We shall die." These pious girls struck up the *Salve régina* at the foot of the scaffold.* This was a courage equal to that of the young volunteers who marched to death singing the *Marseillaise*. Calamities so terrible excite human nature, and render it either atrocious or sublime. This period gave birth to as much heroism as crime, and heroism belonged to all parties. The simple faithful, besides, often rivalled in courage the priests or nuns. An assembly for worship was held in a grotto. They had warned the persons taking part in it that the songs were heard by the cannoneers of the Republic. The people simply said to the priest: "*That does not matter, my father;*" and the song continued.† To sing a hymn in such circumstances required as much intrepidity as to serve a gun under the fire of the enemy.

The Convention in the time of the Terror had rarely to occupy itself with the right of conscience from the theoretic point of view. It was, indeed, obliged to devote to it a short deliberation on the occasion of the Declaration of Rights which was to precede the New Constitution elaborated for Republican France. Condorcet had presented the first draft of it, which already gave ample satisfaction to the Democratic ideas. Rejecting with disdain the idea of a second Chamber, as well as all that could introduce any balancing and check into the Government, he caused the Legislative Assembly, as all the authorities of the country, to spring from the election of the Primary Assemblies; these last were constituted into deliberative

* "Histoire du Clergé de France sous la Révolution," II., p. 364.

† "Annales Catholiques," drawn up by the Abbé Sicard, I., p. 132.

bodies, almost permanent, since they had to ratify not only the Constitution, but also each law. The executive power, under the name of ministry, had the same origin as the Assembly, and thus established in the Government a duality which might become dangerous. Condorcet, in order to avoid sanctioning the right of insurrection, acknowledged to each citizen the right of instigating the Convocation of the Primary Assembly, provided that his proposal obtained the assent of fifty citizens. These assemblages, charged with controlling the national representation, thus became a Tribunal de Cassation, from which rose again the Legislative Assembly. We find in the Constitution of Condorcet all the inconveniences of that of 1791. The few guarantees which the citizen found there against the arbitrary power of a popular Sovereignty without counterpoise, and which were like a weak translation of the *Habeas Corpus*, were not to find favour with the Revolution, impatient of all that should arrest its arm and prevent it from crushing its enemies. The Declaration of Rights sanctioned all desirable liberties so much the more generously that these abstractions pledged to nothing. The discussion gave rise to some eccentric speeches which were possible only in a period of excitement. Anacharsis Clootz developed at the tribune his fantastical ideas on the divinity of the human race in general and of the French people in particular. "The denominations of French and universal," said he, "are become synonymous with a juster title than the names of *Christian* and *Catholic*." Despite this enthusiasm for the name of French, the orator asks that they should substitute for it that of German, as much more comprehensive, since it designates an entire family of nations. "I defy you to understand the nature of the Sans-Culotterie" (the unclad), added he, "if you admit a Divine or plastic nature. Whoever has the weakness to believe in God, would not have the wisdom to believe in the human race, the only Sovereign."

Anacharsis Clootz seriously proposed that the Convention should vote this great principle, and declare that every individual and Commune which should admit it should be of right received into the Republic of *men*, of *Germans*, of *universals*. This speech was listened to without laughter. Let us not be too much astonished : we have seen in our day this religion of France, and this apotheosis of the purely terrestrial life reproduced with an affected mysticism which has surpassed the orator of the human race.

Condorcet's plan of Constitution did not survive the Gironde. Robespierre, in the month of May, had sketched a new one, which silently passed over the legal guarantees inscribed in the first plan, and deified not the entire human race, but the multitude. His speech breathed forth from one end to the other the basest flattery towards the people—proclaimed to be without fault and infallible. "Lay it down at the outset as a principle," said he, "that the people are good, and that their deputies are corruptible; that it is in the virtue and sovereignty of the people that we must seek a preservative against the vices and despotism of the Government." The natural consequence of these maxims was the suppression of the representative *régime*, or which amounted to the same, its entire subordination to the Primary Assemblies.* Robespierre would have wished that the national representation should deliberate in the presence of the entire people. It seemed, however, that the clamours of the galleries might have sufficed him. His plan inflicted a blow on all liberties, and, first and foremost, on proprietorship, which was no more than the power of possess-

* *Assemblées Primaires*—Meetings of citizens in their respective cantons for the exercise of their political rights. The Primary Assemblies in France date from the Republican Government. This name disappears at the period of the Consulate; they then take the name of Cantonal Assemblies.—Bescherelle, "Dictionnaire National."

ing what the law guaranteed to the citizen. This fine plan, remitted on the 30th May to the Committee of Public Safety, which had added to itself some supplementary members, was re-cast and drawn up by it in a few days, presented on the 10th of June, and decreed on the 23rd. If ever Constitution was tinkered, it was that of 1793; it was, moreover, never applied. The fraternal, social, humanitarian character of the Mountain Constitution has been much extolled, because there has been found in it that pretentious sensibility which never flourished better than at the foot of the scaffold. This conclusion appeared admirable: "The French Republic honours loyalty, courage, old age, filial piety, misfortune. It commits the trust of its Constitution to the keeping of all the virtues." Among these virtues shines, in the first rank, for the legislators of 1793, the practice of the sacred duty of insurrection. It is, in reality, the sole chance left to liberty; for if its name is everywhere in this Constitution, no serious guarantee is given to it. The citizen is effectually and explicitly protected in none of his rights. He is delivered to the despotism of a sovereign Assembly, which has no other control than the clubs of Paris. The Mountain took care to efface or annul all the clauses of the first plan which could give any political action to the departments; the decrees of the Legislative Assembly were withdrawn from the examination of the Primary Assemblies; and the executive power was nominated, by the national representation, from a list formed by a special electoral body. All powers were in its hands. The instrument of tyranny was perfect.

If, in these two plans of Constitution, we consider the article which concerns religious liberty, it is as explicit in the draft of Hérault de Séchelles as in that of Condorcet. But the discussions which it provoked show how little they cared for this first of liberties, as well in the Girondist camp as in that of the Mountain. In the sitting of the 19th of April 1793, an unknown member

demanding the suppression of the article by which Condorcet had stated the right of conscience on the ground that the interior liberty of religion could never be suppressed, whilst the observance of worship would be infallibly in opposition to the general spirit of a time which will soon have no other worship than that of liberty and public morals. Vergniaud supported the motion; to believe him, the times of intolerance were for ever passed away. He thought then that it was useless to preserve the *débris* of fetters broken in the great national movement. The argument was strange at the moment when persecution was raging with fury over the whole surface of the country. Danton reproduced the same argument, but he did not dissimulate its bearing, for he thundered against superstition, and openly urged to new persecutions. He gave, at least, a strange proof of the progress of intelligence in the matter of religious liberty. "Everywhere," said he, "the people, freed from the impulses of malevolence, acknowledge that whoever wishes to interpose between them and the Divinity is an impostor. *Everywhere they have demanded the transportation of the fanatical and rebellious priests.*" Priests are persecuted, then religious liberty is gained. This incredible sophism is in the style of France; for we have seen it unceasingly reappear. Despite some demands, the article was withdrawn or rather postponed, to be introduced no more into the Declaration of Rights, but into the Constitution.

The same discussion was raised on the 18th of June, at the time of the discussion of the plan presented by the Committee of Public Safety. Fonfrède and Barrère demanded that liberty of worship should be formally acknowledged on the frontispiece of the Constitution, for the reason that it differs from simple liberty of opinions, and that it is not sufficient to acknowledge the latter. Barrère appealed to the example of the thirteen States of North America. Robespierre energetically combated the motion.

"I fear," said he, "that the conspirators may draw from the Constitutional article which sanctions liberty of worships, the means of annihilating public liberty; I fear lest men, who wish to form counter-revolutionary assemblies, may disguise them under religious forms. Behold, under what a hypocritical mask conspirators might strike liberty!" In any case, these conspirators will not be able, whatever they do, to strike it in a more deadly and more treacherous manner than the austere tribune who, himself, also wears a hypocritical mask. He succeeded in causing simple liberty of opinions to be voted. Liberty of worships passed into the definitive plan without a new discussion. We comprehend what this insertion was worth at the moment when the man who had fought against it was all-powerful in France.

Some months before, a much bolder proposal, which would have cut short the principal difficulties of the moment, if it had been executed with all its consequences, had been repulsed by Robespierre. Cambon, on the 16th of November, 1792, presented to the Committee of Finances a decree, according to which, the care of paying their own ministers should be left to each religious sect. It only reproduced an idea which had been often expressed to the Legislative Assembly. The simple news of this motion spread great alarm in the departments; the Commissioners of the Convention, sent to Chartres to arrest an insurrectionary movement there, observed that the proposition of Cambon had contributed to rouse the people; the effervescence of the crowd was such that their life was in danger.* One of the Commissioners thus expressed himself: "If the simple motion of suppressing the pay of the priests causes so much effervescence, we may judge of the disturbances which such a decree would occasion!" Danton supported the demand. "It has been said

* Buchez and Roux. "Histoire Parlementaire," XV., p. 434.

that it was not necessary that the priests should be paid by the public treasury. It has been supported by philosophical ideas which are dear to me, for I know no other God than that of the universe, no other worship than that of justice and liberty; but man, ill-used by fortune, seeks eventual enjoyments: he believes that, in another life, his enjoyments will be multiplied in proportion to his privations in this. When you shall have had, for some time, glimpses of morality which shall have made the light penetrate into cottages, then it will be well to preach morality and philosophy to the people. But, until then, it is barbarous—it is a crime of treason against the nation to wish to deprive the people of men in whom they can still find some consolations. I should think, then, that it would be useful for the Convention to draw up an address to persuade the people that it wishes to destroy nothing, but to perfect everything; that, if it pursues fanaticism, it is because it wishes liberty of religious opinions.” Danton gravely deceived himself in imagining that the measure proposed by Cambon would end in a premature destruction of Christianity. If it had been accompanied with sincere respect for liberty of opinions, it would have saved all. At the Jacobins, the proposition of Cambon met with no more assent than at the Convention. Bazire pointed out the peril of it at the moment when the trial of the King was about to commence. Cambon was treated as a shop-economist; and Bazire cried out: “Learn that amongst a superstitious people a law on superstition is a State crime.”

Robespierre developed his opinion with the greatest care in No. 7 of his “Letters to his Constituents.” This piece is, certainly, one of the best that has issued from his pen, because none has been written with more conviction. The separation of the Church and State will always be an offence for the consistent disciples of the school of Rousseau. Robespierre commences by raising the

question. It will not do to speak of economy where great principles are concerned, and the first interests of the Revolution are at stake. The defender of the payment of worships does not wish that there should be any mistake about his motives, and he expresses, without evasion, his own disdain for these vain superstitions, the maintenance of which he, nevertheless, wishes to confide to the State. "I like, no more than another," said he, "the power of the priests; it is one chain more given to humanity—but it is an invisible chain attached to minds, and reason alone can break it. The legislator may aid reason, but neither supply nor anticipate it." Casting a rapid glance over the moral condition of the country, Robespierre rejoices at the progress of sound philosophy. "Those even who, outside the counter-revolution, are attached to Christianity, abide by the imposing dogmas which lend a support to moral ideas and to the doctrine of virtue and equality which the Son of Mary formerly taught to his fellow-citizens." Thus, France is not far from that religion without mystery, from that rational worship of the Supreme Being, which was the ideal of Rousseau. Superstition is still mingled with these great ideas; but it has its good side, for it gives them more popularity. "Do not disdain to recall to yourselves with what wisdom the greatest legislators of antiquity, those who founded the empire of laws on the empire of manners, who have handled these concealed springs of the human heart, with what sublime skill, sparing the weakness or the prejudices of their fellow-citizens, they consented to have the sanction of Heaven to the work of their tutelary genius."

Robespierre forgets that, since the augurs have laughed in meeting each other, not in secret, as in the time of Cicero, but quite aloud in the public place, these pious ruses of philosophy to delude the people have become more difficult. Religion knows what regard to pay to the hypocritical respects of those who support it for reasons of State, and who maintain it as a sort of appendage of

police. Robespierre has here laid the foundations of the system of concordats. The First Consul has been only his faithful disciple, and has weakened that which had been so well said at the first stroke. Robespierre is equally the master of Napoleon in the portion of his writing in which he vividly paints the perils of the enfranchisement of worships for a State strongly centralised. "What is there more fatal to the public tranquillity," says he, with the sincere emotion of a partisan of despotic sovereignty, "than to realise this theory of the individual worship? You seem to fear the influence of the priests, but you render it much more powerful and active, since, from the moment when, ceasing to be priests of the public, they become those of private persons, they have with these last much more frequent intercourse." He then shows to the terrified Jacobins, individual liberty asserting itself in favour of the separation of Church and State, new associations which would be only private leagues against the public spirit, forming themselves on all sides; liberty, in short—abominable thing!—gradually extending itself and opposing a limit to the invasions of the State. He was not mistaken; the system of the non-payment of worships is fatal to tyranny. Robespierre did not fail, as always, to oppose the poor to the rich. He pretended that the weight of the support of worship would fall almost entirely on the working class, much more religious than the classes in easy circumstances. We shall not insist on the other reasons which he gives, and which are borrowed from the circumstances of the time, as the trial of the King and the agitation of the country. The only one of his arguments which is valid is drawn from fidelity to engagements towards the paid clergy. But it was easy not to be wanting to the public faith by indemnifying individuals, provided they did not rend the scarcely-concluded contract, as they had scandalously done, for the refractory clergy. It was of moment to us to point out this hostility of Robespierre against the system of the separa-

tion of Church and State. It is a great honour for this principle to have had him for chief adversary, and for such reasons. The idea broached by Cambon could not long be set aside, for every day the inconveniences of a religion enfeoffed by the State came to light. In the sitting of the 1st of March, 1793, Thuriot demanded the annulling of the Civil Constitution of the Clergy, in order to withdraw all temporal jurisdiction from the ecclesiastics. Richard proposed that measures should be taken for extinguishing, for ever, ecclesiastical quarrels, and that the Committee of Legislation should be charged with presenting a law which should restrain ecclesiastical functions within their true limits. This proposal was voted and forgotten, like so many others, during the Reign of Terror.

Awaiting the abolition of the Civil Constitution of the Clergy, which could not be long delayed, the Convention took advantage of it for making its authority to weigh heavily on the paid clergy. We have seen that the Legislative Assembly had decided to maintain the payment of the priests who married. That was to proclaim the legality of their marriage. Most of the Constitutional bishops were much opposed to this innovation, and amongst others Fauchet, despite the irregularities of his conduct. A first information was lodged against him at the sitting of the 22nd of February, by a parish priest of Calvados. The accused charge was sent back to the Committee of Legislation. The affair returned to the Convention in the sitting of the 19th of July, 1793. A deputy demanded the deprivation of the bishops who should infringe the law by hindering the marriage of priests. This measure met with some opposition. Lacroix answered that the bishops, being paid by the nation, were bound to obey all the laws of the Republic. Danton improved upon this doctrine. "We have," said he, "preserved the payments of the bishops; let them imitate their founders. They rendered to Cæsar that which was Cæsar's. Well! *the*

nation is more than all the Cæsars." They substituted for deposition, pure and simple, the penalty of transportation, on the observation of Lequino, that in directly pronouncing a canonical deposition, the Assembly might be accused of meddling with affairs of religion. Durand Maillane, one of the authors, and the fervent apologist of the Civil Constitution of the Clergy, had vainly endeavoured, in a letter inserted in the journal of Fauchet, to bring back the civil power to its own domain. He rightly showed that if marriage, as a contract, belonged entirely to the control of the State, as a sacrament, it depended only on the spiritual power, and that the bishop had the right to grant or refuse the nuptial benediction according to the canons of his Church, without the Assembly intervening by its decrees.* Durand Maillane declared "that French citizens, who had seen with satisfaction the reforms of the Constituent Assembly, attack ecclesiastical abuses as all others, would cease to attach the same interest to a liberty which would deprive them of that of their worship." The honourable deputy set about it too late to invoke the rights of the Church. It was not necessary, in 1790, to make an administrative department of them and to transform her ministers into officers of morality, for an officer cannot avoid the watchword of his chief. Durand Maillane was better inspired when he foresaw the time in which the Civil Constitution of the Clergy should be abrogated. "This happy time," said he, "is not arrived, and we must await it. Until then, let us strike our sails to the tempest." He was soon to see his entire work upset under the blasts of that tempest which was angered by all obstacles and all resistances, and which was soon to sweep away, by a waterspout, the altar after the throne. The war on religion already openly declared was, before the end of this same year, no longer to recognise any consideration.

* Buchez and Roux, "Histoire Parlémentaire," XXIV., p. 312.

In order to comprehend the bearing of these Saturnalia of impiety, which were to be so fatal to the Revolution, it is necessary to explain the situation of parties. Once the Gironde were overpowered, on the 2nd of June, at Paris, the Mountain remained victorious and sovereign, in face of increasing perils, which drove it to make the most terrible use of its power. The proscribed deputies who had been able to gain the departments, there raised an insurrection, the short continuance of which could not be foreseen. Lyons was in full revolt, and an army was necessary to besiege it. Toulon flung itself into the hands of the English; the whole of la Vendée, in insurrection, gave its hand to the coalition which was pressing all the frontiers,—at the Pyrenees, at the Alps, and at the North, in those immense plains where, more than once, the fate of France had been staked. At Paris, even, the murder of Marat by a pure and noble young girl, had revealed what enthusiasm the cause of the Gironde inspired. It is known by what miracles of energy the Revolution met these dangers. It retakes Lyons, then Toulon, by rapid sieges; drives back the armies of the coalition by a new, startling, and democratic system of tactics, which consisted in hurling armed masses on a single point; in fine, it disputes la Vendée in a series of combats which, in the issue, left to it the advantage at the end of 1793. The victory of Wattignies, obtained the 16th of October in Flanders, and that of Cholet in Vendée, gloriously terminated the campaign. At the same time, great civil creations revealed the indomitable faith of the Revolution in the future. The Normal and Polytechnic schools are decreed, and a vast plan of instruction in three gradations is elaborated. The great book, in which are entered all the State-creditors, is instituted; the first bases of the Civil Code are laid down; even the fine arts engage attention, and vast museums are opened for them. The uniformity of weights and measures realises one of the most useful reforms, and which, like all rational

progress, was destined to endure. This unheard-of energy of the Revolution, terrible at the frontiers, fertile in the interior, is its best glory; but how can we forget that bloody intoxication which accompanies it, and for which it demands an abominable stimulant, which we shall never cease to believe useless? No, we do not admit that France can only excite her courage by throwing herself into a cruel delirium. We do not see that victory deserted her flag on the day on which a single colour no longer effaced the two others—the day on which it has not been reddened at the foot of the scaffolds. Those dishonour the country who pretend that she cannot be saved except at this price. Let them not forget that the crimes to which they pay this honour have created for her many more perils than they have surmounted.

It was especially since the month of September, 1793, that terror was let loose. It went forth, all armed, from the sitting of the 5th, on the imperious summons of one of those deputations of the people of Paris which dictated its will to the legislators. “Let us place terror in the order of the day,” cried the base Barrère, that docile scribe of all those whom they dreaded. The decree which he proposed, organised a revolutionary army of six thousand men, charged everywhere to crush the counter-revolution; the penalty of death was pronounced against any one who should buy or sell assignats. The Revolutionary Tribunal was divided into four sections, in order to hasten the trials. Domiciliary visits by night were authorised. Terror thus became the summary of all revolutionary politics. Suspended over the head of generals, if they did not obtain victory, or even if they profited ill by it, it sent them, on a suspicion, from their tent to the scaffold, as we may convince ourselves by the condemnation of Custine and Houchard. It tore the deputy from his bench, if he had softened for a single day or if he had refused to it a pledge. At night, it hovered over the entire city, and fell like a thunderbolt on all the houses, as well on

those of the liberal citizens as on the palaces of the aristocracy, and thus encumbered the prisons with a mixed crowd, in which the guillotine daily made a frightful gap, without preventing the unconquerable French gaiety from diverting itself with its executioners behind the fatal gratings. On the 3rd of October, the Convention decreed the penalty of death, within twenty-four hours, against every priest subject to transportation, returned to France, who should be the bearer of any counter-revolutionary sign, or be suspected of maintaining any intercourse with the emigrants. The deposition of two witnesses was declared sufficient. In the sitting of the 27th of February, 1794, it was decreed that all recourse to the Tribunal de Cassation was interdicted to the arrested priests. In October, Marie Antoinette, after having endured all the disgraces of a frightful captivity, was dragged to the tribunal, and conducted herself under the outrage with a proud dignity, which moved to the heart the bitter viragos assembled to insult her. Some days later, the patriotic hymn of the Girondists marching to death made their conquerors turn pale. Never had they appeared greater than on the waggon. Bailly followed them closely as well as Barnave. The first two generations of the Revolution were thus mowed down, and opened the way to the third. It is not enough to strike the noblest of the living; they dig up the tombs, and the ashes of the kings, deposited at Saint-Denis, were thrown into the common ditch. It is not astonishing, that it was precisely at this moment, that the Revolution, in its rage to make an end of the past, should have endeavoured to treat God as it had treated royalty.

The Commune of Paris, in the month of November, 1793, took the initiative of the atheistic movement. It acted much less from fanaticism than from calculation. The fair-spoken Chaumette and the vile Hébert, thought much more of surpassing Robespierre than of serving an idea. Anacharsis Clootz was alone sincere, and

attacked religion from personal hatred. Hébert aspired to the part of Marat. He hoped to arrive at the first rank, carried on the shoulders of the rabble. This filthy swearer was a mean courtier, who spoke the language of the kennels in order to please the sovereign of the moment, as the Marquises of Versailles were bred up not long ago to the polite language of courts. Chaumette and he imagined that the surest means of carrying it over the Committee of Public Safety was to attack the Supreme Being whom Robespierre protected with all his pedantry. That was to throw him into the shade, or to place him among the defenders of the past. The anti-religious fury had only increased, thanks to the prolonged resistance of the refractory priests. There was in that a first point of support for inflicting a great blow on religion itself; it was easy to envelop the Constitutional priest in the unpopularity of his caste, and to present God himself as the great enemy of the unclad (*sans-culottes*). Had not the Convention heard and applauded the boldest attacks against the ancient beliefs? It seemed easy to gain it over, and when the Assembly and the Faubourgs were gained, the Jacobins would be obliged to follow the movement that would, to a certainty, crush Robespierre, unless he was gained over, which would be equivalent to his abdication. The intrigue was well enough conceived, as was proved by its splendid success during some days; but neither Hébert nor Chaumette were of a stature to struggle with Robespierre. They are about to be shattered in this collision, but not without having succeeded in provoking the most hideous scandal.*

* See on what is about to follow, besides the "Moniteur," the 29th and 30th volumes of the "Histoire Parlémentaire de la Révolution," and the "Mémoires" of the Time; among others the "Tableau du Nouveau, Paris," by Mercier, and the curious little work, entitled "Mémoire en Faveur de Dieu," by J. de l'Isle de Sales," 1802. See also "l'Histoire des Sectes Religieuses," by Grégoire.

The Hébertists did not surpass in impiety the philosophy of the eighteenth century in its extreme tendency ; already had this latter introduced itself more than once at the National Tribune. Only they brought it down from the sphere of ideas into the street, and almost into the mire, and translated it into indecent masquerades. It is certain that they could not much offend an Assembly which had decreed to abolish the Christian era, and to make the order of the new times commence from the foundation of the Republic, whilst effacing the name of Jesus Christ. Nothing proves better than this attempt that the Revolution decidedly took its stand as a new religion, and claimed, in a manner, to enter upon a war with the gods. The new Calendar, presented by Romme, and voted on the 5th of August, 1793, fixed the commencement of the year on the 22nd of September, the day which marked the autumnal equinox. The division by decades was substituted for the ordinary week. Philosophical designations were given to the months, by naming them Justice, Equality, &c. ; except the month of June, which was named *The Oath of the Tennis Court*, and July, which was dedicated to the remembrance of the taking of the Bastille. These designations of the months were changed in the sitting of the 3rd of November, on a report of Fabre d'Eglantine, who induced the Assembly to adopt a less abstract nomenclature, designed to recall the succession of the seasons. Thence sprang the poetical names of Vendémiaire (vintage month), Nivose (snowy month), Germinal (budding month), Thermidor (hot month).*

* The following is a ludicrous translation of this French Calendar:—

AUTUMN :—Wheezy, sneezy, freezy.

WINTER :—Slippy, drippy, nippy.

SPRING :—Showery, flowery, bowery.

SUMMER :—Hoppy, croppy, poppy.

The thought which had inspired this bold innovation is evolved with great precision, from the words of Fabre d'Eglantine. "Long custom," said he, in commencing, "has filled the memory of the people with a considerable number of images which they have long venerated, and which are still to-day the source of their religious errors; it is then necessary to substitute for these visions of ignorance, the realities of reason; and for sacerdotal prestige, the truth of nature." The orator openly avowed that he wished to ruin the influence of the priests, who had found a sure means of acting on the imagination of the people, by attaching their principal festivals to the succession of the seasons. Was it a question of the festival of the dead, "it was not on a theatre smiling with freshness and gaiety that they played their farce, but when, on the departure of the beautiful days, a sad and grayish sky filled our souls with melancholy. It is at this time that, profiting by the adieus of Nature, they laid hold of us to parade us through their multiplied feasts, over all that their impudence had imagined of mystical, for the predestined—that is to say, the imbecile—and of terrible for the sinner—that is to say, the intelligent person. On the contrary, they celebrated the Corpus Christi festival in the most beautiful and effervescent days of the year, and the Rogations, intended for the benediction of the fields, in the month of May, at a time when the rising sun has not yet absorbed the dew and freshness of the dawn." Fabre d'Eglantine opposed to this religious Calendar his agricultural Calendar, equally designed to strike the imagination of the people, but in a contrary direction, by great images. The year was to terminate by five great festivals, appointed under the expressive name of *Sans-Culotides*, which should occupy the supplementary days remaining from the decimal division. They were the feasts of Intelligence, Genius, Labour, Actions, Recompense, and, lastly, the festival of Opinion, a kind of Saturnalia, in which raillery against the magistrates should be

freely permitted. This was to be, for the powerful, the last judgment of the year, executed by ridicule. The propositions of Fabre d'Eglantine, with their impious preambles, were voted with enthusiasm. The Convention very decidedly set itself up for the council of philosophy, authoritatively decreeing beliefs, and pausing as little before conscience as the Councils of the Ancient Church. Thus to change the religious customs of a people was to inaugurate the most insupportable of despotisms, absolutely to confound the spiritual and the temporal, and to institute what may be called the Islamism of impiety. The Convention revived, in its manner, the theocracy in its most intolerant character, and it thought itself liberal because it had borrowed from it everything except God, of whom it will have no more.

The Commune had some reasons for believing that it would not be disowned in pushing the irreligious movement to an extreme. It entered upon the business by promoting tumultuous and imperative petitions. On the 28th of August a deputation of schoolmasters presented themselves at the Convention to demand gratuitous and obligatory instruction. One of the children who accompanied them, demanded that instead of preaching to them in the name of the *pretended God* (*soi-disant Dieu*), they should instruct them in the principles of equality, of the rights of man, and of the Constitution.* This profanation of childhood ought to have excited warm indignation; but the deputation was not less applauded for it like all the others, despite what might be thought of it by more than one unfortunate deputy of the Plain, still attached to the religion of his fathers. It was, indeed, on that day that he must have felt himself in the Marsh,† whilst preserving a

* Buchez and Roux, "Histoire Parlémentaire," XXVIII., p. 502.

† Marsh or Plain, a name given in 1793 to the less elevated part of the Hall of the Convention, where sat the members of the moderate

cowardly silence. Some days after this scandal, a deputation from Nevers presented itself at the bar, bringing the spoils of the Churches and demanding the suppression of the Catholic worship. At the club of Vitry-le-Français, the bishop M——, a deputy on mission, cried : “The priests are scoundrels. I know them better than any one else, since I have been their compeer.”* Some time before, the Constitutional Bishop de Périgueux presented “his wife” to the Convention, boasting that he had taken her from the class of the *Sans-Culottes*. He was highly applauded ; and they were very near voting him a supplement to his stipend of two thousand francs ; nothing was more just, he had deserved well of his country by dishonouring his caste.† Thus the movement was plainly pronounced against all the clergy, as well against the priests who had taken the oath, as against the nonjurors. The atheistical party already sought, by all means, to obtain retractations, in order to defame religion by its own ministers. An ex-priest formally asked of the Commune the right to change his name of Erasmus to that of Apostate.

Chaumette and Hébert were preparing the great blow which they wished to strike, in secret conventicles at which were present Cloutz, Momoro, and Bourbon de l’Oise. The question was of inaugurating, in full Convention, the worship of Reason, by drawing to it some priests who should come to throw at the foot of the National Tribune the cast-off clothes of superstition. The farce was played on the 7th of November. The Convention was presided over by Laloi, who was in perfect agreement with the ringleaders of the Commune. Good replies might then be expected. The scene opened by the reading of a letter from a

party. The demagogic faction occupied the most elevated part, designated under the name of the Mountain “Bescherelle Dict. Nation.”

* Búchez and Roux, p. 181.

† “Mémoire en Faveur de Dieu,” p. 61.

country parish priest, of the name of Parens, who declared himself ready to abjure, provided that his subsistence was guaranteed to him by a pension. "I am a vicar," said he; "I am a parish priest; that is to say, a charlatan. Hitherto an honest charlatan, I have deceived only because I was myself deceived. Now that I am disabused, I confess to you that I should not wish to be a dishonest charlatan. Nevertheless, poverty might constrain me to it. It seems to me that it would be well to assure the necessary subsistence to those who wish to render justice to truth." This courageous confessor did not wish to be impious for nothing (*gratis*), and showed himself decided not to change his trade except with assurance of pay. This baseness was applauded by a French assembly. After the little farce was to come the great comedy. The President announces to the Convention that the constituted authorities of the department and of the Commune present themselves at the bar with Bishop Gobel, his vicars, and several priests. Momoro pompously proclaims that these citizens demand to be regenerated and become men. Led by reason, they are come to strip themselves of the character which superstition had conferred upon them. "Thus the French Republic will soon have no other worship than that of liberty, equality, and eternal truth." Gobel then arose in the midst of applauses, so much the more base that he obeyed no impulse, for he was no more atheist than Christian, and he had no other desire than to save his life in the revolutionary hubbub. "The will of the people," said he, "was my first law, submission to its will my first duty." It is then to the idol of the moment that, constrained by fear, he sacrifices his God in whom he did not cease to believe—so he had given Grégoire to understand a few days previously. This cowardly apostate did not cease to float between the fear of the Revolutionary Tribunal and the fear of hell, which naturally carried him to the foot of the scaffold. Frantic applauses wel-

come the words of Gobel ; he has deserved well of the country by dishonouring its first episcopal see. Chaumette demands that they should introduce into the Republican Calendar the feast of Reason. "Citizens," said the President of the Convention to Gobel and the priests who surrounded him, "citizens who have just sacrificed on the altar of the country these Gothic children's toys, you are worthy of the Republic." Then the fraternal embracing is given to the ex-bishop who has just dressed himself in the red cap. Base sentiments have their burst of enthusiasm like heroism. The tribune is immediately besieged by several priests who burn to signalise their audaciousness by laying down their letters of priesthood. Bishop Lindet does more ; he pretends that he accepted the episcopate only to save his country, and that he had never been a charlatan. It is then very easy for him to abandon what he never truly had. He is followed by Julien de Toulouse, a Protestant pastor, who holds a similar language, and declares that he had never been anything but an officer of morality, professing the most absolute toleration. "I have exercised," added he, "the functions of a Protestant minister ; I declare that I will no longer profess them, that I will have, henceforth, no other temple than the sanctuary of the laws ; no other divinity than liberty ; no other worship than that of the police ; no other gospel than the Republican Constitution." It was thus that Julien represented at the Convention, a martyr church which had bowed neither before caresses nor punishments. Behold, however, the lesson which this base soul, who had had the honour but lately of celebrating a proscribed worship brought back from the desert. What a contrast between this day of ignominy and the noble times of his youth, in which he suffered for his faith ! But, doubtless, he had for a long time abjured the folly of the holy mysteries of the Gospel, and he was ill prepared for the folly of a perilous heroism.

It was not possible that in the midst of all this baseness, the Christian conscience should remain without a witness. Its inflexible language was heard at this profaned tribune, and despite the cries of rage with which they endeavoured to stifle its voice, its appearance was sufficient to chastise, by a violent contrast, all the cowardice which had just been witnessed. It was Grégoire, Bishop of Blois, who gave this grand spectacle to his country. Of an ardent, generous disposition, he had more than once carried enthusiasm even to imprudence, and although he had not voted the death of the King, he was guilty of the wrong of insulting him in his fall, in a moment of excitement for ever to be regretted ; he was, nevertheless, a sincere Christian, and an intrepid soul. Never had he abjured a single one of his convictions, still less his God. He still wore the ecclesiastical costume, which was an act of courage at that period. Called to sit at this hour in the Committee of Public Instruction, he was ignorant of what was passing in the Hall of Assembly. Scarcely has he entered, than he is surrounded by a troupe of Mountain deputies, who urge him, by furious gestures, to follow the good example of Gobel. It was said to him on all sides : "Thou must mount the tribune." "For what?" "To renounce thy episcopate, thy religious charlatanism." "Miserable blasphemers," replies he, "I never was a charlatan ; attached to my religion, I have preached the truth ; I shall be faithful to it." Hoping to constrain him to follow the current, the President gave him permission to speak, which he had not asked. He rushes to the tribune ; a general silence succeeds to the tumult. "I enter here," said he, "having only very vague notions of what has passed before my arrival. They talk to me of sacrificing to the country ; I am accustomed to it. Is the question of attachment to the cause of liberty ? I have given my proofs. Is the question of the revenue attached to the title of bishop ? I abandon it to you without regret. Is it a question of religion ?

This subject is beyond your domain, and you have not the right to attack it. I hear talk about fanaticism and superstition. I have always combated them, but let these words be defined, and it will be seen that fanaticism and superstition are directly opposed to religion. As for me, Catholic through conviction and sentiment, priest through choice, I have been appointed by the people to be bishop, but it is neither from them nor from you that I hold my mission. I have consented to carry the burden of the episcopate in a time in which it was surrounded with penalties; they have tormented me to accept it, they torment me, to-day, to make an abdication which they shall not tear from me. I have endeavoured to do good in my diocese, acting according to the sacred principles which are dear to me, and of which I defy you to rob me; I remain bishop in order still to act in the same manner; I appeal to religious liberty.”*

This speech was violently interrupted almost at each word; it excited even very roarings. “I doubt,” says Grégoire, in his *Mémoires*, “whether the pencil of Milton, accustomed to paint the spectacle of demons, could render this scene. Having descended from the tribune, I returned to my place. They withdraw from me,* as from one infected with the plague; if I turn my head, I see furious looks directed on me; on me rain threatenings, insults. Overwhelmed by the sight of the outrages done to religion, I thanked God for having sustained my weakness, and given me strength to confess Jesus Christ. I declare that in pronouncing this speech, I thought I was pronouncing my decree of death. During eighteen months, I have expected to find myself at the scaffold.” The same evening, and for days following, the dwelling of Grégoire was besieged by emissaries, who came to summon him to yield to the

* This speech has been mutilated in the “*Moniteur*,” it is found entire in the “*Mémoires de Grégoire*,” II., p. 34—38.

general wish. A placard against him was posted on the walls of Paris. It was to mark him out for the Revolutionary Tribunal. Fourcroy, his colleague in the Committee of Public Instruction, openly blamed him for having opposed the current of opinion, and said to him : "We must quash this infamous religion." They were vexed with Grégoire because he sought to *Christianise* the Revolution. He did not remain the less immovable. The episcopal costume of this Christian deputy was, in reality, more respected than the red cap of the apostate Gobel. He received even more than one confession of some of the chiefs of the atheistic movement who, in secret, turned pale at the thought of the God whom they were insulting.

In the sittings which followed that of the 7th of November, shameful abjurations succeeded one another without interruption. That of the Bishop of Haute-Vienne was distinguished by its dullness ; he claimed to pass for a vile hypocrite, in order to establish, in the eyes of all, that he had always been impious. "And I also," said he, "I was a philosopher, although a bishop. If I heretofore did not tell my secret, it was because the people were superstitious, and the Government inquisitorial. Thanks to thee, august Mountain, it is permitted to speak all truth quite aloud." Another bishop, Lalande, who had directed the diocese of la Meurthe, declared that, henceforth, he wished to spread only the eternal doctrines traced in the great book of nature and reason. Chabot, the married Capuchin, came in his name, and in the name of his wife, to make a quite needless retractation, for no one doubted his perfect impiety. Siéyès believed himself obliged to break the prudent silence which he had so long kept, in order to say that he had been a victim of superstition ; which had not hindered him from monopolising several benefices, and still touching a pension of ten thousand livres, which he now abandoned. "No man on the earth," adds he, "can say that he has been deceived

by me." That signified that he had for a long time served a mass in which he did not believe. After the retractations, came the patriotic offerings drawn from the treasures of the Churches. There were seen flowing to the Convention and to the Commune of Paris, copes, precious vases, priestly ornaments, all the objects of value which had served for worship. It was decided that a *depôt* should be organised at the Commune house. A Committee was charged with receiving and classifying the spoils of superstition. The bearers of these riches generally availed themselves of the occasion, to make a speech. "Denys of Syracuse," said the orator of the Commune of Sens, "took away from Jupiter his mantle of gold, under pretext that it was too cold in winter, and too warm in summer; we have also taken away from our saints and their ministers splendid vestments which, without doubt, were troublesome to them." The orator of the Commune of Saint-Denis-sur-Seine brought, under the guise of patriotic gifts, the pretended head of the saint; and he believed himself obliged to declare that he had been in no wise tempted to kiss this stinking relic. He continued in these not less elegant terms: "This skull and these sacred rags which accompany it, at length cease to be the ridiculous object of the veneration of the people. The gold and silver which envelope them will contribute to strengthen the empire of reason and liberty." The success was great for the *Père Duchêne*.* Its cant words were spoken in full Convention.

The Protestants of Paris thought themselves obliged to follow the movement; two of them, in the name of their co-religionists, deposited at the Commune of Paris, the silver cups which were used in the administration of baptism and the holy supper. "All ranks confounded," said the orator, "drank in these cups equality

* "Père Duchesne of Hébert, brutallest Newspaper yet published on Earth." Carlyle, *French Rev.*, II., pp. 22-3.

and fraternity; my ministry has always had for its object to propagate these principles. Shame to all the scaffoldings of falsehood and puerilities which ignorance and bad faith have decorated with the ostentatious name of theology." The President replied that if a religion could be preserved, it would be that which best consecrates the principles of equality; but reason rules, and men ought to know no other worship than that of liberty and equality. Thus, no equivocation was possible; the act of the Protestants was really accepted as a disavowal. The Jews did not wish to remain behind; they also brought their offering. There was an emulation of baseness.

Apostasies were the first act of the comedy invented by the Commune of Paris. It was necessary to pass to the second. It was not enough to have struck down the ancient idols; it was necessary to inaugurate, with *éclat*, a new worship—that of reason and nature, and to find means of amusing the people, if they did not wish them to return to what they had abandoned. The ex-Bishop Lindet had demanded, the very day of the abjurations, that they should occupy themselves with replacing the religious festivals by civic festivals. They had entrusted to the poet Chénier the task of filling the void which the fall of the ancient worship was about to leave; but they were soon to perceive that it was not with the flowers of rhetoric or academic strophes that they would succeed. The section of Bonne-Nouvelle had decided that on the tenth days, there should be a patriotic sermon on morality and the Constitution, but it was a relaxation decidedly insufficient for a people fond of spectacles. The Commune decided to prepare a great theatrical show, which should speak to the eyes and seduce the imagination. The opera was put into requisition, and furnished a virgin to represent the Goddess "Reason," and to animate, some little, this religion of nothingness. It was at Notre Dame that the Commune caused

the scaffolding to be erected, on which this ridiculous profanation was to be achieved. The temple of philosophy was raised in the choir of the cathedral. It was adorned with effigies of wise men; an image of a mountain bore this paltry sanctuary. The torch of truth was burning upon a rock. Young girls in white, and crowned with oak-leaves, surrounded a seat of verdure destined for the Goddess "Reason," and chanted in her honour the icy hymn composed by Chénier. It commenced thus:—

"Descend, O Liberty! thou child of nature;
The people have recovered their power immortal!
On the majestic ruins of th' old imposture
Their hands erect thine altar."

Poor lyricism, to inaugurate a new religion! "It is now," said Momoro in the "Journal de Paris," "that we may say that the day of rest has slain the Sabbath. It has just received its death-blow in the late metropolitan cathedral, now the temple of Reason." The Convention, not having been able to be present at Notre Dame, was honoured, in the evening, by the visit of the Goddess. The ceremonies of the morning were repeated. The President embraced the Goddess "Reason." They were moved with emotion; they sang, they became odious and ridiculous. There remained of that day nothing but the remembrance of a stupid parody, which avenged on itself alone, the holy religion which they had wished to trample under foot. It was in vain that to revive the fervour, they replaced, at Paris, and in the departments, actresses by prostitutes. Weariness and disgust smote the new worship from its first appearances. They tried to enliven it by debauchery. The church of Saint-Eustache was transformed into a vast tavern. Ancient priests danced the Carmagnole* with courtesans around

* See p. 22.

great fires, where missals and holy books, copes and relics, were burning. This delirium spread like a sort of infernal death-dance over all parts of the country. At Lyons, an ass was promenaded in procession, clad in priestly garments. On the 22nd of November, the same masquerades which had dishonoured the Convention some days earlier, were repeated. Sappers and gunners preceded the procession in pontifical costumes. They were followed by an immense crowd of common people, ranged in two ranks, covered with capes and chasubles of gilded velvet. They bore, on hand-barrows, sacred vases and shrines surrounded with precious stones. Warlike instruments executed the national airs. A flag, waving to the melodious sounds of the well-known air of *Marlborough is dead and buried*, indicated the disappearance of fanaticism; whilst the Carmagnole, danced with vivacity, announced the triumph of the new worship. At this fine spectacle, the President cried that the deputation had, in one instant, annihilated eighteen centuries of error. A young child presented its homage to the Assembly, and was overwhelmed with congratulations for having recited the Declaration of Rights. They voted to him the first republican catechism which should be composed. This fit of sensibility for the poor little parrot of atheism completes the painting of this ridiculous scene. The Commune endeavoured to take advantage of the popular enthusiasm for Marat. "Several sections of Paris," said Hébert at the tribune of the Jacobins, "are eager to render homage to the ashes of the friend of the people. They prostrate themselves before his statue. Well! since processions and religious ceremonies are necessary to the multitude, why do we delay to decree them to the martyr of democracy!" On the motion of David, who expressed himself in a tone of the most lively enthusiasm, the Convention decided that the remains of Marat should be transported to the Panthéon. The enthusiasm for this monster knew no bounds; songs were com-

posed in his honour. He was put in prints by the side of Jesus Christ, and they invoked the sacred heart of Marat. The new worship was complete; it had prostitutes for goddesses and a man of filth and blood for a martyr and saint. There was nothing wanting to it but to persecute. It did not come short in this noble task.

For a long time past there had been nothing to add to the cruel measures which had struck the clergy who had taken the oath, and which had suppressed religious liberty in France. It is now religion itself which, after having been insulted, is about to be proscribed, under whatever form it presents itself, constitutional or refractory. The Commune was encouraged in its persecuting attempts by the Convention, which had applauded the outrages of Fouché in Nièvre. "The taste for republican virtues and austere forms," wrote the future minister of the restoration to his colleagues, "has penetrated all souls, since they are no longer corrupted by the priests; some of these impostors resolve still to play their religious comedies, but the *sans-culottes* watch them, overturn all their theatres, and plant on their ruins the tree of Liberty. Long live the Republic!"* Fouché had caused the cross in the cemeteries to be struck down, and had replaced it by the Statue of "Sleep"—a consoling image for men such as he, who had need of thinking that there was, after death, neither awaking nor chastisement for crime. The Commune thought that what was not disapproved in the Departments, would be found good at Paris. It decreed measures similar to those which had been taken in Nièvre for Republican interments. A commissioner in red cap was charged to conduct the funeral. A pole was to be carried before the hearse with this inscription: "The just man never dies. He lives in the memory of his fellow-citizens." The

* "Moniteur," sitting of the 7th of November.

section of the Commune house complain that devotees and fanatics gather around the holy water-fonts. It requests of the General Council to put a stop to such a scandal, and to take away from these imbeciles the hope of the resurrection of fanaticism. The Commune decided that armed force should be employed to prevent these gatherings. This was not yet enough; a general measure was necessary, which should entirely abolish religious liberty and raise the worship of Reason to the rank of an oppressive State religion. In order to hurl the most outrageous defiance at the religious sentiment, the Commune had caused to be brought to the Mint, the cope of Sainte-Geneviève, the cherished patron-saint of Paris, and decreed the destruction of all the statues of saints which surrounded the churches. The two portals of Notre Dame were saved from mutilation, only because Dupuis wished to recognise therein the planetary system by which he explained the origin of worships. It was decided that the bells should be pulled down, for the reason that their elevation above other buildings was contrary to the principles of equality. The motion of a virtuous citizen, who demanded the incarceration of all priests as suspected persons, was received with favour in the same sitting, and sent to the administration of police. The section of the Quinze-Vingts had demanded the consecration to liberty of the church of Saint-Antoine, and the raising there of an altar on which should burn a perpetual fire. The council of the Commune took occasion from this demand to decree that no material symbol should be raised in any temple. In the sitting of the 26th of November, the same Council dared to strike with interdiction all other worship save that of Reason. Chaumette denounced in his address the coalition of priests and unfortunate females who had shown themselves equally exasperated against the Revolution. He painted in lively colours the perils which the priests were bringing upon the Republic. "They are capable of all crimes," said he, "and

make use of poison; they will work miracles, if you are not on your guard. I request, in consequence, that the Council declare that, to its knowledge, the people of Paris are ripe for Reason, and that if there is in Paris any movement in favour of fanaticism, all the priests should be imprisoned, seeing that the people of Paris have declared that they acknowledged no other worship than that of Reason."

This fine speech had for its conclusion the following resolution: "1st. All the churches or temples of all religions and worships which have existed at Paris shall be immediately closed; 2ndly. All ministers or priests, of whatever worship, shall be held personally responsible for all the disturbances which have their rise in religious opinions; 3rdly, Whoever shall ask for the opening of a temple or church shall be taken up as a suspicious person; 4thly, Revolutionary committees shall be invited to watch very closely over all the priests; 5thly, A petition shall be presented to the Convention to invite it to pass a decree to exclude the priests from every kind of public function, as well as from all employment in the manufacture of arms." A member of the Council, who discovered that the resolution was not yet severe enough, had added to the last article these words, *as well as of any trade whatsoever*; that was literally to condemn the priests to die of hunger. Chaumette caused the original text, which was quite sufficient, to be restored. Nevertheless, such is the man whom M. Michelet dares to present to us as one of the initiators of the religion of the future, and of true religions liberty.* It is not enough to have sprung from "the holy mud of Paris" in order to be a great servant of liberty. The resolution demanded by this great demagogue, who was some days later to read his recantation, remains for him an indelible stain. It is true that he was most

* Michelet, "Histoire de la Révolution," VII., p. 258.

impious, but this indisputable glory does not suffice for his reinstatement. This mischievous writer, with smooth hair, was only a miserable copyist of the Louvois and Basvilles in the service of Diderot.

The Commune of Paris, thanks to this famous resolution of the 26th of November, had arrived at the summit of its Capitol, to employ a favourite image of the time. The Tarpeian rock was not far off. Robespierre had sworn its ruin, and he felt himself supported not only by the Jacobins, his trusty fanatical assassins, but also by the Convention, who began to be jealous of that popular power which was setting up for Dictator. We have already said for what reasons he was the sworn enemy of Chaumette and Hébert. Everything in them repelled him; their increasing popularity irritated his envious character, their atheism offended his favourite ideas, their folly annoyed his political intelligence, and with his correct and pedantic dress, he could feel only contempt for their shameless masquerades.

The struggle broke out at the Jacobins in the sitting of the 1st of Frimaire (November 21st); Hébert and Momoro, uneasy at the secret opposition of Robespierre, endeavoured to make the blow, which was threatening them, fall on the priests and the Princess Elizabeth. Robespierre began by declaring that the danger of the Republic did not arise, at that hour, from the priests, or impure remnants of the race of the tyrant. He expressed great disdain for the pious Princess, whom he ventured to call the *contemptible sister of Capet*. This expression remains an indelible stigma on the cowardly tribune, and forces a cry of indignation from his warmest apologists. Passing to the priests, he satisfactorily proves the eagerness of a great number of them to abdicate their titles, in order to exchange them for those of administrators and even of presidents of popular societies. "Fear not," said he, "their fanaticism, but their ambition; not the dress which they

wear, but the new skin with which they are clothed." Fanaticism offers fewer perils to the Republic than the violence which awakens it. "Fanaticism is a ferocious and capricious animal, it was flying before reason; pursue it with great cries, it will return on its steps!" Robespierre did not dare to blame the popular movement which had impelled to the abandonment of the ancient worship and the spoliation of the Churches, but he challenged those who took advantage of it, and whose great error in his eyes was seeking to counterbalance his popularity. "With what right," said he, "should aristocracy and hypocrisy come to mingle their influence with that of patriotic zeal and virtue! With what right should men, *hitherto unknown in the career of the Revolution*, come to seek in the midst of all these events, means of usurping a false popularity, of dragging even patriots to false measures and of throwing among us confusion and discord! With what right should they cause the solemn homages rendered to pure virtue to degenerate into ridiculous farces? Why should it be permitted them thus to sport with the dignity of the people, and to fasten the bells of folly on the very sceptre of philosophy?" Hébert must needs grow pale at this sally, which so plainly marked him out; and he could see the edge of the guillotine suspended over his head, when the terrible orator accused his party of dishonouring the Revolution before the foreigner, which, in the language of the time, implied a secret plot. The political import of the speech especially appeared when Robespierre insisted on the maintenance of religious liberty. He affirmed that the intention of the Convention was to defend it against its adversaries, and also against its own abuses. Besides, the priests will continue so much the longer to say mass, the more that it is sought to prevent them. "He who wishes to hinder them is more fanatical than he who says the mass." If the Revolution has had to defend itself against fanaticism, it ought not the less to repel atheism, which

deprives virtue of its hope, vice of its chastisement, and liberty of its glorious sanction. If God did not exist, it would be necessary to invent him. What is above all to be dreaded is counter-fanaticism, which calumniates France in the eyes of her enemies, and which is, in reality, their surest agent.

The Commune could not ask for a more explicit declaration of war. Robespierre had taken his position. He concluded his speech by calling for a purging of the Jacobins. Each member was to be in his turn examined, in order to be maintained or rejected by a vote. No one was deceived by it, it was a case of life and death in this tumultuous examination directed by Robespierre, who there represented the whole Revolutionary Tribunal. The Commune endeavoured to repay with boldness, and it passed on the 3rd of Frimaire (November 23rd) the resolution which proscribed all worships, but it drew upon itself, two days later, a thundering speech from Robespierre at the Jacobins. He returned to his accusation of secret intrigues with the foreigner. He spoke as a master:—"We shall neither suffer," said he, "the standard of persecution to be raised against any worship, nor aristocracy to be confounded with worship, nor fanaticism with the opinion which proscribes it. The National Convention will maintain religious liberty." The orator hastens to add, lest this liberty should be taken in too serious a sense, that the Convention will impose silence on all religious disputes. A singular contradiction, the flagrant absurdity of which is less strange than its obstinate continuance in our country. Robespierre tore without mercy, according to his own expressions, the mask of patriotism from the hideous face of the agents of the coalition, who, by their infamous farces, wished to make a free people to be taken for a nation of atheists, and to transform a political Revolution into a miserable religious quarrel. Would they have acted otherwise, if they had wished to destroy the Convention and France, by saying

to the foreigner :—" Do you see, the French had sworn universal toleration and religious liberty ; they persecute all religions." This time the success was completé and immediate ; Hébert, that very evening, shamelessly repudiated the movement of impiety which he had done all to create. He dared to make the following declaration in the face of Paris, flooded with his *Père Duchêne* :—" Already it has been said that the Parisians were without faith, without religion ; that they had substituted Marat for Jesus. Let us counteract these calumnies."

The same day at the Commune, Chaumette had delivered a speech in favour of religious liberty, and had shown himself as unctuous in demanding it, as he had been bitter in suppressing it, in that same hall where the echo of his atheistic harangues was still vibrating. He was consistent only in reviling Christianity, for the great reason which he put forth for the maintenance of the liberty of opinions, was that it was necessary to abandon the sect of the Nazarenes to the contempt in which it would be annihilated in place of re-animating it by persecution. Chaumette concluded by demanding that the Council should reject all discussion relative to different worships. " Let us not inquire if such a one goes to mass, to the synagogue, or to the sermon (Protestant) ; let us inquire only if he is a republican ; let us not meddle with his whims, let us concern ourselves with governing, with assuring to him the free exercise of his rights, even that of dreaming. I require then, first, that the Council resolve that it will hear no proposition, petition, or motion, on any worship, nor on any of the metaphysical or religious ideas ; secondly, that it declare that the exercise of worships being free, *it has never heard* and never will hear, of preventing the citizens from renting houses, from paying their ministers, for any worship whatsoever, provided that the exercise of that worship shall not injure society by its manifestation ; that nevertheless it will cause to be respected the will of

the sections who have renounced the Catholic worship, in order to acknowledge only that of reason, liberty and Republican virtues." Never in low theatres had Hébert sold tickets for a more pitiable comedy than was that day played on the bloody stage of the Commune. The speech of Chaumette raised a lively opposition among his amazed auditors ; the turn was too sharp and the leap too abrupt. Nevertheless, it was very necessary that his motion should pass ; it was adopted, without reserve, to show Robespierre that nothing henceforth hindered him from crushing adversaries beaten down and disgraced to this degree.

The recantation of the Commune prepared that of the Convention. Already, in the sitting of the 26th of November, Danton had forcibly protested against the scenes of abjuration in public sitting, and had formally demanded that there should be no more anti-religious masquerades in the midst of the Convention. He pronounced this remarkable sentence : "If we have not honoured the priest of error and fanaticism, neither will we honour the priest of infidelity." On this occasion he caused the first appeal to clemency to be heard. In vain did he swell more than usually his thundering voice, and invoke an increase of terror against the true enemies of the Republic ; he had ascended the first step of the scaffold. Robespierre could not pardon this initiative, which revealed a commencement of opposition on the right, at the very moment when he wished to crush the extreme Hébertist left. Waiting until he should turn upon Danton, he profited by his support to finish with the atheism of the Commune. Some days later, in the manifesto to Europe, which he read at the tribune, and which was voted with enthusiasm, he inserted these significant words : "Your masters tell you that the French nation has proscribed all religions ; that it has substituted the worship of a few men for that of the Divinity. They lie ! The French people and its representatives

respect the liberty of all worships, and proscribe none of them ; they abhor intolerance and persecution, with whatever pretexts they cover themselves." * Barrère pronounced the same day, in the name of the Committee of Public Safety, a speech imbued with the same ideas. He demanded of the Convention a decree prohibiting the constituted authorities and all armed force from intermeddling in religious affairs, without, however, derogating from the general measures in regard to the refractory priests and the fanatics who, under pretext of religion, should disturb the Republic. The Assembly was not yet ripe for all at once adopting such a proposition. They sent it back to the Committee of Public Safety for a new examination. Robespierre insisted on its adoption, by adducing his eternal argument of the agreement of the atheists of Paris with the foreigner. "It is the work of foreign courts," said he, "to revive fanaticism in places where it had sought its last asylum ; to arm the man who, without being a bad citizen, is attached to his religious opinion, against him who professes a different opinion." The orator would have done well to have remembered these beautiful principles before the war of la Vendée, when the unjust insisting on the ecclesiastical oath, wasted the country with fire and sword. He treacherously profited by the recent arrest of Rabaud Saint-Etienne, to point out a factious intrigue in the opposition to Catholicism ; the Protestant minister had urged to the overturning of an abhorred worship, and the Girondist deputy had thereby sought to ruin the Republic by dividing it, thus serving at the same time his passions as a sectary and a conspirator. Robespierre ended by strongly urging the Convention to adopt the conclusions of Barrère. Cambon supported him. Three days later, the decree proposed by Barrère was passed in these terms : "The National Convention, con-

* Sitting of the 5th of December, 1793.

sidering what the principles which it has proclaimed in the name of the French people and the maintenance of public tranquility demand of it, 1st, Forbids all violences or threatenings contrary to the liberty of worships ; 2ndly, The surveillance of the constituted authorities, and the action of the public force, shall confine themselves in this respect, each for that which concerns it, to measures of police and public security." The restriction already mentioned in regard to the refractory priests, followed. The decree ended by this recommendation: "The Convention invites all good citizens, in the name of the police, to abstain from all disputes on theology, or such as are foreign to the great interests of the French people." Barrere caused an addition to be voted which was not without its importance : it was that the Convention did not intend to abrogate the resolutions taken by the representatives of the people. He alluded to the measures by which several of them had aided the citizens to destroy superstition. To say truly, the religious liberty voted by the Convention was reduced to maintaining the order of things which existed before the carnival inaugurated by Chaumette and Hébert ; it suffered, even within this narrow limit, numerous exceptions. Nevertheless, this step backward was of importance. The proscription of religion could no longer be indefinitely extended, but it was for that not the less liberty as in 1793.

This liberty was like the Mexican gods ; it thirsted for blood. After the Gironde, it claimed the foul clique of Hébert, then the group of the Dantonists. The feeblest desire for indulgence, which was, perhaps, only a sigh of weariness, was sufficient to destroy Danton. Robespierre cannot forgive him for being the most imposing revolutionist, the terrible and striking image of a roused and roaring people. Still less does he forgive Camille Desmoulins for being the most sparkling writer in Paris, and for placing his brilliant style at the service of clemency, too slowly

invoked it is true, but with a power of irony and eloquence that France had not met with since Pascal. The five numbers of the "Vieux Cordelier" are the *Provinciales* of the Revolution. We imagine the rapture into which they would throw the oppressed. Ah! if he had been a less great writer, Camille would not have been so guilty in the eyes of the cruel and laborious pedant of the Jacobins. If, above all, he had not, by a sarcasm, declined his insolent protection, he might have been saved. But to speak of pardon, and to speak so well of it, in a manner so inopportune, at the moment when Robespierre was about to develop at the Convention his famous theory of a Republic which has virtue and terror for its force, was to commit an unpardonable crime. The future pontiff of the Supreme Being was thus climbing up, by bloody steps, the altar of his God; in order to arrive there, he was marching over the dead bodies of his friends; of those at whose table he had sat, and whose marriage contract he had signed. Master at the Jacobins and at the committees, the very pure, the incorruptible, the saint of demagogism, was always finding out a clandestine plan of conspiracy with the foreigner, and he enveloped in this elastic net all his adversaries, or, rather, all his rivals. The procedure was infallible with an instructed and trembling Assembly. Saint-Just mounted the tribune, and read, with his monotonous voice, a report, each period of which fell harsh and sharp like the edge of a cleaver. The report was, in the oratorical order, a convenient invention which perfectly corresponded to the guillotine in the judiciary order. In both cases it was instant extermination. The instrument of death was as marvellously worked under the hand of Saint-Just and Barrère, as under that of Samson. The Hébertists were thrown into prison after the failure of the insurrection of the Cordeliers on the 13th of March. Danton and his friends were imprisoned on the 30th of the same month. Saint-Just was the reporter in both cases.

As for the trial, we must not speak of it ; it was the most infamous mockery of justice. Robespierre was delivered at the end of April ; he breathed freely with expanded chest, for the Terror, after having ground Danton, no longer ran the risk of being stopped in its course. Before whom would the Revolutionary Tribunal be arrested, when it had condemned the very person who had demanded it? Without doubt, the blow which struck the Dantonists was merited from the point of view of eternal justice ; but that Robespierre should be the minister of it, only because he wished to push crime farther, this is what exasperates conscience. The blood of Danton will for ever choke the apologists of his rival. It is vain to concede that he coloured this act by political reasons, and that he imagined he was serving the cause of the Revolution ; it is not the less certain that he that day obeyed the vilest passions. It is not his fanaticism, but his envy which is specially detestable.

He awaited this fine triumph, in order to endow France with the worship dear to his heart. The armies of the Republic had driven the enemy across the Rhine, and saved Alsace. The Vendean insurrection had been subdued by Kléber and Marceau at the battle of Mans. Toulon was retaken, thanks to the skilful manœuvre of a young chief of batallion, then a very ardent Jacobin. On the side of the frontiers France breathed ; in the interior she was bowed under terror ; but this prostration of the country was for Robespierre a mark of the goodness of Providence. He had no longer to fear a club-blow on the part of Danton, or one of those sharp and brilliant darts thrown by Camille. He could strut at the Tribune of the Convention as at the Jacobins, and play the high priest without exciting laughter. Fouquier Tainville secured him against ridicule. On the 6th of April, Couthon, who was as the John Baptist of the New Messiah of the Mountain, announced that the Committee of Public Safety

had decreed a festival in honour of The Eternal. Robespierre read his memorable report on this subject in the sitting of the 7th of May, 1794. It is his master-piece ; he is there his entire self, with his babble about morality and virtue, and his hateful passions which are arrested before no enemy on earth, for he lavishes insult on the memory of the Girondists and of Danton ; we find here also his enthusiasm for Rousseau, his antipathy to the aristocratic atheists of the "Encyclopédie," his oratorical genius, fertile in prosopopœias, ordinarily restrained and embarrassed, but rising for an instant to true eloquence ; we recognise here, especially in each line, that sentimental democracy which marches always accompanied by suspicion and proscription. What concerns us in this speech is the claim of the dictator to get again decreed a State religion, an abstract religion, little burdened with doctrine, but very clearly defined, and which was to be officially professed by the country. The orator establishes, in terms which we cannot but admire, the agreement which has ever existed between atheism and the abandonment of liberty. "What advantage dost thou find in persuading man that a blind force presides over his destinies, and strikes at hazard both crime and virtue ? Does the idea of his nothingness inspire him with sentiments purer and more elevated than that of his immortality, with more devotedness to the country, more boldness in braving tyranny ? The idea of the Supreme Being, and of the immortality of the soul, is a continual appeal to justice ; it is then social and republican. What is it that the conspirators have put in place of what they destroyed ? Nothing, unless chaos, void, and violence. They despised the people too much to take the pains to persuade them ; instead of enlightening them, they wished only to check them, to terrify or deprave them." From all these considerations, Robespierre concluded that the National Convention ought to decree the worship of the Supreme Being, and inaugurate it by a

great public festival. Thus, he only underpropped the Civil Constitution of the Clergy, cutting off from it all that surpassed his pale Deism, but sanctioning its essential principle, which was to closely bind religion to the State and to interlace it with the new institutions. He consecrated with *éclat* the theory of the *Contrat Social*, which was no other than the Gallican theory, and showed himself the docile continuator of the ancient French tradition to the very day on which the revolutionary fury had attained its greatest height. There was found also in the speech of Robespierre the famous preamble on the utility of religion to the Government: "In the eyes of the legislator," said he, with a singular frankness, "all that is useful and good in practice is truth. The chief work of society should be to create in man a quick instinct for moral things, which, without the slow help of reasoning, should lead him to do good and to avoid evil. Now, that which produces or replaces this precious instinct, which supplements the insufficiency of human authority, is the religious sentiment which imprints in souls the idea of a sanction given to the precepts of morality by a power superior to man." Robespierre wishes, then, that the State should profess faith in the Supreme Being, not because it is true, but because it is useful, and doubles its police in an efficient manner. "The State," said he, "is neither a metaphysician nor a theologian; the question of the true and of the false does not concern it, it holds to the order of the useful." Here again the ardent demagogue, the extreme radical, glides into the broad way of tradition. He acknowledges to-day the Supreme Being, just as Napoleon will afterwards acknowledge the Papacy for the good of the State and the greater convenience of its ministers. This speech ends by a homage to religious liberty, ill placed after the proclamation of a national religion, and especially after the sarcasms lavished on fanaticism, that is to say on Christianity. Certain it is that,

if the new worship had been enthroned, it would have passed from sarcasms to open persecution, and would have put into practice the whole system of the *Contrat Social*. Already, some imprudent persons had spoken of a kind of law of sacrilege to be passed against those who should speak ill of the Supreme Being, or should permit themselves to profane his name. One of the partisans of Robespierre, Julien de Bordeaux, had dared to demand that they should banish from the Republic every one who did not believe in God. Robespierre was obliged to contradict him; but would he have contradicted him long if he had triumphed?

The Convention voted the sending to Europe of the speech of Robespierre, which was to be translated into all languages, and decreed the festival of the Supreme Being. The Commune of Paris expressed its enthusiasm with a prudent zeal, for it had much to do to gain pardon, and it gave a striking pledge of its conversion, by causing the name of the acknowledged God to be graven on all the edifices on which it had inscribed that of Reason. The festival took place on the 20th of Prairial * (9th of May).

* The following table for changing New-style into Old-style, will be found useful:—"September 22nd, of 1792, is Vendémiaire, 1st of Year One, and the new months are all of 30 days each; therefore:—

To the number of the day in	ADD				We have the number of the day in	DAYS			
Vendémiaire ...	...	...	...	21	September ..	...	...	...	30
Brumaire ...	...	...	...	21	October ...	...	...	...	31
Frimaire ...	...	...	...	20	November ...	...	...	...	30
Nivose ...	...	...	...	20	December ...	...	...	...	31
Pluviose ...	...	...	...	19	January ...	...	...	...	31
Ventose ...	...	...	...	18	February ...	...	...	...	28
Germinal ...	...	...	...	20	March ...	...	...	...	31
Floréal ...	...	...	...	19	April ...	...	...	...	30
Prairial.....	...	...	...	19	May ...	...	...	...	31
Messidor ...	...	...	...	18	June ...	...	...	...	30
Thermidor ...	...	...	...	18	July ...	...	...	...	31
Fructidor ...	...	...	...	17	August ...	...	...	...	31

Nothing had been spared to render it imposing, nevertheless it did not avoid ridiculous puerilities. Robespierre, President of the Convention, in a beautiful blue coat, with a bouquet of fruits and ears of corn in his hand, took a place, with all his colleagues, on the amphitheatre raised in the midst of the Tuileries. After a pompous speech, he descended in order to set fire to the statue of Atheism, promptly replaced by that of Wisdom, which made its appearance, unfortunately, very much smoked. From the Tuileries, the Convention went to the Champ de Mars, encompassed and as it were interlaced by a tri-coloured ribbon, which was carried by children adorned with violets, young men girt with myrtle, men of mature age crowned with oak leaves, and old men decked with leaves of the vine and olive. A rustic car, laden with agricultural implements, drawn by the indispensable oxen with gilt horns, and followed by the not less indispensable young girls in white, followed the Convention. At the Champ de Mars, the Convention placed itself on an artificial mountain—a flattering monument to the deputies of the majority. The President harangued, the young girls sang, the old men gave their benediction, the cannons thundered, and all ended by the cry of *Vive la République*. These pomps of the comic opera, these ridiculous symbols and these chilling rites, taught France that it is more easy to decree a change of religion than to effect it. Never will Deism establish a worship, and all that it will attempt in this way will become a public laughing stock. The festival was found very tedious, especially by those who were irritated by the preponderating part of Robespierre. It is related that a repre-

There are five Sansculottides, and in leap year a sixth, to be added at the end of Fructidor.

The New Calendar ceased on the 1st of January, 1806. See “Choix des Rapports,” XIII., 83—99; XIX., 199. “Carlyle’s French Revolution,” Vol. II., p. 269.

sentative, less patient than his colleagues, said to him, in terms of energetic trifling: "Thou beginnest to weary us with thy Supreme Being." What wearied him, and many others, was the dictatorial Pontificate which was striving to introduce itself into France. That day Robespierre prepared his own fall.

It is not our business to relate it. The abominable decree of the 24th of Prairial (June 12th), by which he obtained of the Convention the suppression of the last securities left to the accused before the Revolutionary Tribunal, since it replaced the witnesses and the written proofs by a simple moral judgment, this decree, which organised a new Terror in the Terror, caused Robespierre to be charged with all the crimes of which he gave the signal. His studied absence from the committees mattered little; it was none the less he who had perfected the instrument of death. That he was overthrown by men who were not as good as he, is no excuse for him, and the 9th of Thermidor was none the less a deliverance. If reaction commenced from the next day, on whom shall we lay the blame, if not on the detested tribune who had disgusted France with liberty, by turning it into an Indian idol which fed only on massacres? It is especially during this period that religious persecution is confounded with the general proscription of all the suspected. We may be convinced by the memoirs of the time that the priests, refractory or sworn, encumber the prisons and largely pay their tribute to the scaffold.* The Revolutionary Tribunal sent there equally the inventors of religions, endeavouring to turn to their own account this longing for belief, which is never more ardent among a people than when they have, so to speak, cast it into the void. We know the ridiculous affair of Catherine Théot, the old prophetess, who, accompanied by her two acolytes, the dove and the female singer,

* See the "Mémoires sur les prisons pendant la Révolution."

was accustomed to celebrate I know not what stupidly-mysterious worship, in which she gave a prominent part to Robespierre, without his knowledge, whatever his adversaries said of it. In addition to which, he had his devotees especially among the females, who did him great injury. When his fall had been sworn, they turned to great advantage the idolatrous attachment which he had inspired after the example of Marat. M. Michelet is astonished at this superabundance of ridiculous mummeries and stupid mysticism, after Voltaire, and at the end of the century of intelligence.* He forgets that everything appears in the issue preferable to the cold lights which illumine only emptiness. From total infidelity to gross superstition, there is only a step, and the people from whom their God has been taken away, will soon make to themselves fetiches. With Thermidor, closed the period of civil religion, whether Catholic or Deistical. We are going now to witness the experiment of a complete separation of Church and State.

* "Histoire de la Révolution," VII., p. 366.

BOOK III.

THE RÉGIME OF THE SEPARATION OF CHURCH AND STATE.

Chapter i.

Measures taken by the Convention with respect to religion, from the events of Thermidor to the expiration of its powers.

FRANCE, the day after the events of Thermidor, found herself in the strangest situation. The party who had conquered, shared in reality the principles of Robespierre; it had laboured long for their triumph, and it had even largely applied them; it numbered in its ranks some of the most dreaded proconsuls of the Convention. Its most prominent chief, Tallien, was not pure from the blood of September. Only this party had grown weary of the Terror a little later than Danton, a little earlier than Saint-Just and Robespierre. There was no other difference between it and the men whom it had overthrown. Its policy was still that of the Committee of Public Safety, and it was quite as decided as its predecessors in imposing liberty such as it comprehended it. Doubtless, it desired to do as much without the guillotine as possible, but it by no means thought of taking it down for political crimes, and it was very decided to use the formidable means of repression which it had under its hand. Nevertheless, it was henceforth no longer possible to continue the Terror, even in miti-

gated form. Public opinion, as constantly happens in France, once delivered from the fright which repressed it, resumed all its elasticity; it would not receive a partial satisfaction, and it imperiously outran the votes of the Convention, so much the more sure of obtaining what it wished, that the men of strong conviction had disappeared, and that nothing is more easy to manage than an intriguing democrat who has to obtain pardon for a heavy past. Such was Tallien and several of his friends. Besides, in the Convention itself, a large portion had long echoed the opinion from without. Moral victims of the Terror still more than its instruments, these timid members had cursed the necessity which constrained them to sanction so many crimes by their cowardly silence and even by their votes. The pressure brought to bear on the national representation had been such, that Thibaudeau relates that many of the deputies, from fear of compromising themselves, durst sit neither on the right nor on the left, and took their place pell-mell at the foot of the tribune, in order not to side ostensibly with any party at a time when the violent of the evening before became the moderate and the suspected of the next day. These courageous citizens were gained beforehand to moderation, and were, by their inert weight, to make the scale turn in its favour. But we must not deceive ourselves respecting this. The moderation desired in Thermidor, 1795, was still very far from being a truly liberal *régime*. It meant that the prisons, where so many suspected had remained buried, should be opened, and that the scaffold should cease to receive its daily batch; but it remained attached to the Revolution and implacable towards its declared adversaries. It accordingly energetically sustained the Convention against the Royalist party on the famous day of the 13th Vendémiaire, 1795 (October 4th), which revealed to France its future master in the young General to whom Barras owed the victory over the sections. It is true

that it equally lent its support to the Convention against the Terrorist and Mountain party at the time of the closing the club of the Jacobins, and in the days of the 12th Germinal (April 1st) and 1st Prairial (May 20th), when a people still more riotous than famished, violated the national representation under pretext of dearth, and encountered in Boissy d'Anglas the sublime and calm image of the inflexible law. Too often, also, the Thermidorian reaction was only a terribler efflux of the revolutionary tide. This is what happened in the South, where the revenges of the so-called moderate party almost equalled the crimes of the Terror.

In what concerns the religious question, the events of Thermidor did not bring any very sudden change. The persecution was no longer so atrocious—it ceased at least to be bloody, but none of the laws of proscription were withdrawn, and they remained, even when liberty had been granted to worship, an incomplete and precarious liberty, suspended on the least suspicion. This was because public opinion was not brought back to religion. The Thermidorian reaction was quite imbued with the materialistic philosophy of the eighteenth century; frivolous, longing for pleasure, it was much more eager to re-open the dancing saloons and theatres than the temples. They believed they were accomplishing an eminent act of reparation by inaugurating the famous ball of the victims, and devoting the memory of Robespierre to execration. Whilst dancing in honour of the dead, they troubled themselves very little about a few poor priests, imprisoned or transported in the name of these same measures of public safety which had caused so much blood to flow. Madame Tallien displaying her facile beauty in an opera-box, in light and classic costume, seemed the symbol of the reconquered liberty; she personified well enough that vain and elegant liberalism, without principle and without seriousness, which sought its security in extravagance of costume, and its satisfaction in an unbridled

license, a sure means of bringing back the enervated country to despotism. It is still at the frontiers that we must look for heroism and true grandeur. Had it not been for its incomparable army and its young generals, the Revolution would have quickly slidden from blood into the mire. It is, nevertheless, at this period, so sad in the interior, in which everything seemed to conspire against the awakening of religious thought, that the Christian worship under its different forms, reconstituted itself unaided, and profited by an incomplete liberty to take an extraordinary development. Let us explain the difficulties against which it had to struggle and also the advantages which it found in the absence of all governmental protection. We shall see that for it, moral independence is so great a benefit, that it compensates for the heaviest blows at the rights of conscience.

We have related, in their order, the decrees of the Convention against religious liberty. They formed a Draconian code, which equalled in rigour whatever was most excessive in the ancient *régime* against religious minorities. At the end of the hideous Hébertist movement, the proscription had reached as well the sworn as the refractory clergy. The prisons were filled with priests belonging to both Churches. The Civil Constitution of

e Clergy no longer existed, except in the letter of the Constitution ; its framework had been broken by apostacy or persecution ; worship had been rendered as impossible to the Constitutional as to the proscribed priests ; no payment was made, no pension was maintained, and a considerable number of ecclesiastics were a prey to poverty. Every political career had been well-nigh closed to them, for twice had the Assembly decreed that no ex-noble, no refractory or sworn priest, could fill the functions of an officer or of any public functionary. This decree had indeed been repealed, but it was again demanded by an influential party. The Convention had not repealed the decree of the 3rd

of October, 1793, which condemned to the penalty of death in twenty-four hours, on the concurrent affidavit of two witnesses, not only the priests who had taken part in an insurrectionary movement, or who had had any connection with the emigrants, but also all those who should be supplied with any counter-revolutionary signs. To banishment with the nonjuring priests was condemned every priest *informed against* on account of his want of patriotism. Nothing was more dangerous than the vagueness of such an expression. To declare one's self a Christian in the time of Chaumette, was to be guilty of want of patriotism. The priests who had not denied their faith, had been, for this reason, cast into dungeons. The first part of this abominable decree, which multiplied the applications of the penalty of death, was abrogated in fact by the events of Thermidor ; the second part, which was satisfied with transportation, subsisted entirely, as well as the clause assuring a reward of a hundred livres to every citizen who should inform against an ecclesiastic subject to transportation. Every citizen, on the contrary, who should secrete a priest entering into this list, was liable to be put to death. This law, aggravated some months later by a decree which obliterated all exception in favour of infirm and aged priests, remained the public law in France, and it might any day again let loose the proscription. It would have found ample material to exercise itself, for after the fall of Robespierre the refractory priests crossed the frontier in great numbers, and spread themselves in the country places.

The deputy Barré proclaimed the fact at the sitting of the Convention on the 21st of September, 1794 ; according to him, the department of Lozère was infested with these priests, returned under every sort of disguise. He urgently demanded that the Assembly should decree the transportation of all those among them who were imprisoned and under surveillance, and that they should revive the decree which forbade public functions to priests.

Reference to the Committee of Legislation and of Public Safety was decided. Rigorous measures were equally taken in Hérault and at Avignon against the priests for having "preached their impostures," according to the accusation launched against them by Perrin (des Vosges), Commissioner of the Convention in these departments. They were cast into prison.

Whilst the *régime* of the prisons was mitigated at Paris, the unhappy priests condemned to transportation, and retained in the roadstead of Aix, were subjected to the harshest treatment. We learn this from the very affecting recital of one of these unhappy captives ; * their truly intolerable sufferings were prolonged for more than a year after Thermidor. The juror priests appear to have been confounded without distinction with the refractories. The convoy of which these unfortunates formed part, was directed to Rochefort in February, 1794. Their journey was a long torture. It was pursued in the midst of the hootings and threats of an excited people. They insulted their misfortune by infamous parodies. At Limoges they caused to pass before them a procession of asses, dressed in Pontifical garments, at the head of which marched a mitred pig. They slept sometimes in an inn, sometimes in a prison, always in confined places, on simple mattresses. At Rochefort, the condemned priests were crammed with the galley-slaves, sharing their infamy but not their food, for they did not obtain even what was necessary. Before conducting them to the hulks, they were despoiled of almost all that they possessed, and especially of all that belonged to the religious life. A flask containing holy oil was with difficulty saved. They could preserve only a Gospel, which they hid under a beam, and a Breviary, which they passed to each other in turn in the greatest

* See the "Mémoires sur les Prisons," the narrative respecting the priests transported in 1794 into the isle of Aix.

secrecy. The sailors having discovered an ivory Christ, struck off its head. They seem to have been chosen from amongst the most fiery Revolutionists. They sang the *Marseillaise* before each meal in imitation of the *Benedicite*. The most painful trial for these unhappy priests, was the severe prohibition of every religious act. They were not allowed to kneel down, and if they were seen to move their lips in prayer, they were cast into irons. Their implacable persecutors had found the means of despoiling them, even in their poverty. One day they had announced to them a speedy deliverance, in order to possess themselves of their portmanteaus. The officers on board inflicted on them drudgery so much the more severe that they had lost all strength, and could not repair it, the food being as distasteful as it was scanty. They passed the night in nooks without air, their heads knocking against the beams of the vessel. Scurvy and violent fever raged in their midst, and the sick were thrown into a barque, which was an hospital only in name. The least resistance was cruelly chastised by insolent subalterns. One priest was even shot without trial, others were put in irons for having addressed a petition to the authorities of the town. To these physical sufferings, which were much increased by the terrible winter of 1795, was added an intellectual and moral prostration which reduced more than one captive to a sort of imbecility or brutishness. Such was their situation whilst the glittering youth were filling Paris with their noisy follies. If the violent party had been listened to, they would have sent them fresh companions of captivity in place of breaking their bonds. Happily their cause found at the Convention more than one generous advocate, but their defenders had to return several times to the charge before obtaining a reparative decree.

Already, in the sitting of the 14th of Brumaire (Nov. 14th), an unknown deputy had demanded a respite in favour of 200 priests

dragged to the bank of the Loire, and awaiting their transportation; there were reckoned in their ranks several members of the Constitutional Clergy. The orator protested, with energy, against their condemnation, and asked what difference there was between such a measure and the proscriptions of Robespierre, or even of Louis XIV. In vain was another member exasperated with this movement of pity for "the impure caste of the priests," whom he stigmatised as men of blood and barbarians; Rewbell, in embarrassed language, succeeded in having the proposition referred to the committees. In the sitting of the 21st of Frimaire (Dec. 11th), of the same year, on the occasion of the petition of an incarcerated priest, eighty years of age, Grégoire branded with indignation the persecution against the priests, and informed the Convention that of a hundred and eighty-seven priests detained at Rochefort, only seventy-six had survived the ill-treatment. "If, in order to set a man at liberty," said he, "it should be asked if he is an attorney, an advocate, or a physician, this question would excite indignation. Why ask if he is a priest? Whatever an individual be, if he is a bad citizen, strike him; if he is a good citizen, protect him. So long as we shall follow the contrary principles we shall have only the *régime* of tyrants." Some days later, on the 3rd of Nivose year III (21st of December, 1794), the courageous deputy re-ascended the tribune, no longer to support a private petition, but to claim the right of conscience in all its extent. Grégoire had not the superior gifts of eloquence; his speech was without *éclat*, and wanting those bursts of passion which carry away an assembly, but his undisputed patriotism, his loyalty known of all, and his fearlessness in the accomplishment of his duty, had conciliated towards him universal respect. The speech which he that day delivered, is one of the noblest acts of his political life: he redeemed the defects of his talent by the firmness of his principles, and he rose, even to eloquence, through

the liberality of his convictions and the energy of his indignation. The true spirit of 1789 breathes throughout this speech, which is animated, also, by a truly Christian inspiration. Never was this great cause of religious liberty defended with greater breadth, or in circumstances more exciting. "You have founded the Republic," thus began the orator, "there remains to you a great task to fulfil, that of consolidating its existence." The orator showed that the surest means of perpetuating internal divisions, was to maintain, by proscription, distinctions of caste which had no longer the right to be under the new *régime*. Is it not this that was done every time that an individual was struck as ex-noble or as priest? To proscribe a worship, is to make war on opinion, that is to say, is to attack by force that which can be conquered only by reason. "To wish to command thought is a chimerical enterprise, for it exceeds human power. It is a tyrannical enterprise, for no one has the right to assign limits to my reason." Worship, being only the complete manifestation of religious thought, ought to enjoy the benefit of these principles. No particular worship ought to be privileged, but all religious forms, even the most absurd, if they do not violate the law, have a right to an equal protection. Grégoire forcibly pointed out what the application of the contrary principles had cost France under Louis XIV., whilst Holland and free America had increased under the *régime* of full liberty of conscience. Persecution has ever had the effect more firmly to root in the heart the opinions which they wished to banish. "Its inevitable effect is to corrupt the people. It is the first step towards slavery. A people which has not religious liberty will soon be without liberty. The inexorable pen of history hastens to leave an indelible stigma on the brow of the persecutors." The orator had been listened to tranquilly enough, so long as he had kept at the height of general ideas. He was no longer so when he entered into the very heart of the matter, and

pointed out the grievous effects of the revolutionary persecution. "What is," said he, "the actual state of things in this respect? Religious liberty exists in Turkey, it does not exist in France. If this state of things is to continue, let us speak no more of the Inquisition, we have lost the right to do so; for religious liberty exists only in the decrees and actual persecution throughout all France. Ought that to be the result of this philosophy of toleration, whose most illustrious representative has been carried in triumph to the Panthéon? Is this the liberty promised to all peoples, and which our armies pretend to carry to them? Let us beware; revolutionary persecution will have no better effects than the revocation of the Edict of Nantes; it will bring with it the expatriation of citizens and the impoverishment of the country. Let them not say that religious liberty exists in the interior of the houses." What! the Declaration of Rights, the Constitution, and the laws published with such pomp, should have had for their sole end to establish, that in my room I can do as I please! "What if they cry out superstition and fanaticism, it must not be forgotten that one is always a fanatic to somebody. In the time of Chaumette and Anacharsis Clootz, faith in God was fanaticism." Grégoire was wrong in excusing, too much, the measures taken against the unsworn clergy. A passionate partisan of the Republic, he forgave, with difficulty, the royalist intrigues. He claimed none the less liberty for all in the conclusion of his speech. He provoked a real tempest on the seats of the Mountain, when he defended the priests who had remained faithful to their beliefs, and branded the apostates. "What others call prejudice," said he, "is worth as much as those declamations multiplied a year ago at our bar, and of which the translation was nearly this: 'I declare to you that, for many years, I have been an impostor and a knave: consequently, I ask that you esteem me and accord to me a place.'" The applauses of the galleries sustained the orator against the fury

of the left. He sought to demonstrate that it was not true that Catholicism was incompatible with the love of the Republic, and cited his own example. The Assembly became more and more impatient ; they wished to silence the orator when he cried : " It is necessary that we should know if Charles IX. and Louis XIV. are going to live again, and if we must, like the Protestants after the revocation of the Edict of Nantes, tear ourselves from our country, to crawl on foreign shores, begging an asylum and liberty." Drowning the clamours, Grégoire continued : " What is to be done in the impossibility of extinguishing religious principles, and of suddenly uniting the citizens in the same belief ? it is to guarantee entire and undefined religious liberty for all ! If it is pretended that this liberal law exists, we have only to look for its application ; it is necessary to guarantee its exercise. No privilege for any worship, no manifestation outside the circle of the temples, but entire liberty for all." Grégoire ended by rendering homage to Christianity, and by setting forth its beneficial influence as developing love of country, obedience to the laws, and that generous devotedness to the public weal so necessary in the great perils of a period of renovation. " Do you wish," said he, " to communicate a new impulse towards liberty, and to consolidate the democracy which shall have then but few opposers ? Assure religious liberty." The draft of decree proposed by him was thus expressed : " The constituted authorities are charged with securing to all citizens the free exercise of their worship, by taking measures to ensure order and tranquillity." " During the three-quarters-of-an-hour that I occupied the tribune," relates Grégoire, in his " Mémoires," " the members of the Mountain were like sufferers upon the wheel ; I made them experience all the contortions of rage."* Legendre replied to Grégoire : " I

* " Mémoires de Grégoire," II., p. 54.

thought," said he, "that we were sufficiently advanced in Revolution to be no longer occupied with religion." This was precisely what was asked; for religious liberty is only the withdrawal of the State from religious matters. The deputy of Paris added this phrase, immortal in the Voltairian citizenship: "To be a good husband, a good son, a good father, a good citizen, this is the sole religion of a republican." He gained applauses by reminding them that it was in behalf of the priests that Charles IX. had persecuted; from which he implicitly concluded that the best means of ruining their influence was to imitate them. The Assembly passed to the order of the day on the proposition of Legendre and of two obscure deputies, who treated the speech of Grégoire as dangerous. This speech, published as a pamphlet, made the greatest noise; it acted strongly on opinion, which, some months later, imposed its conclusions on the Convention.

We have seen that under the Constituent the greatest obstacle to the establishment of religious liberty had come from the Civil Constitution of the Clergy. An official Church is necessarily privileged, and its very existence hinders true equality. It needs that there be very exceptional circumstances for the liberty of unacknowledged Churches to be respected. The *régime* of the payment of worships by the State is incompatible with the full independence of all religious forms. On the opening of the Legislative—amidst inextricable difficulties, in which the Civil Constitution of the Clergy and the laws concerning the oath had cast France—the true solution was caught sight of by the Assembly and by those outside; we have cited the admirable letter of André Chénier, who demanded the entire separation of Church and State. The country—a prey to the convulsions of civil war—was not ripe to listen to the voice of wisdom. The imperious galleries, who wished to possess themselves, at any price, of the power to impose their political faith on the nation, were very little disposed

to diminish the share of the State, at the moment when they were going to have in their hands all the resources of the administration. Nevertheless, this same idea re-appeared even in the Convention; it was even carried to the tribune by Cambon, but we have seen Robespierre reject it with the sure instinct of revolutionary despotism, and support the contrary system in the name of State-reason. Who knows what the Pontiff of the Supreme Being would have obtained from the Convention if he had triumphed in Thermidor? He might, perhaps, have realised the dream of Rousseau, and given to his pale Deism the public treasure for support and the scaffold for sanction. After Thermidor, it sufficed that he should have defended the *régime* of the payment of worships, in order that the Assembly might be well disposed to reject it. They did this a few weeks after his death, on the 20th of September, 1794, almost without discussion, on a simple motion of Cambon. It might have seemed that a solemn deliberation should have preceded such a measure, so grave in itself, so considerable by the effects which it might produce, since it brought back the Revolution into the way of the purest liberalism, and caused to triumph, for the first time in France, the true notion of the State. Seriously applied, it immediately gave religious peace, and struck with death the fatal theories of the *Contrat Social*, which had already caused so much evil to the Revolution. It is impossible to exaggerate the importance of such a decree. Nevertheless, it was voted as soon as proposed, after a speech from Cambon, which turned only on the finances. This was because the question had been resolved in fact before being so in principle. The Constitutional Church had lost all her privileges in the revolutionary tempest; she was no more a public service. Pensions had been assured to priests who should deny their beliefs. Too great a number had begged of the State these infamous alms which their weakness paid for. Others died of hunger, whilst celebrating

their worship in secret, for most of the churches had been closed or profaned. Nevertheless, the worship of the jurors still existed constitutionally, and it was acknowledged by the law. This abnormal situation was to cease. It was necessary either to re-establish the ancient order of things, or formally to abrogate it; they had also to regulate the pensions, voted under different titles, to the priests who had resigned or who were in office. Nothing was more confused than these accounts. It was in seeking to carry light and order into them that the Committee of Finances encountered the grave problem of the separation of Church and State. Cambon commenced his speech by a very complete and lucid recital of all the measures taken up to that day with respect to the Constitutional priests; these measures were not consistent with each other; there was, therefore, great arbitrariness in the resolutions of the departmental administrations with respect to ecclesiastics; some refused all pension to the priests who had refused to abjure; others paid them on the ancient footing. "Your Committee of Finances," said Cambon, "has thought that you ought to cause all the difficulties to disappear which have arisen on the different laws passed on ecclesiastical pensions. The first measure which it has thought right to propose to you is a solemn declaration that the French Republic no longer pays the stipends nor the expenses of any worship." Cambon did not fail to recall the contrary opinion of Robespierre.

"Your Committee of Finances," added he, "has already received several petitions to the effect that the Convention should determine the pay of the ministers officiating in the so-called temples of Reason, of Philosophy, or in those they would dedicate to the Supreme Being." The reporter proposed to apply to all priests the aid granted to those who had *resigned* by the law of the 2nd of Frimaire (November 22nd). This last clause was voted as the principal proposition thus worded: "The French

Republic no longer pays the expenses nor the stipend of any worship." The most complete religious liberty was the natural consequence of such a vote, for all religious questions were referred to the individual conscience; the State was to interfere no more, once that it had secured public order and respect for the law. The Convention was still too irritated against the nonjuring priests to put an end to the persecutions, and the non-payment of worships was adopted without liberty being proclaimed to them.

The speech of Grégoire, despite its apparent defeat, prepared the return to more healthy ideas. It did not prevent the Convention from voting, on the 18th of Nivose year III. (6th of January, 1795), a very severe decree against the nonjuring priests, which ordered the prosecution with the utmost rigour of the laws of those who had returned to France. The cause so nobly defended by the Bishop of Blois, found a happier advocate some months later, who had so much the more chance of being listened to by a French assembly in the eighteenth century, that instead of speaking as a Christian, he expressed himself as a disdainful philosopher. Boissy d'Anglas was not the less firmly resolved to claim the right of conscience by laying down anew the great principle of the separation of Church and State. He thus caused to disappear the glaring inconsistency which disfigured the decree on the suppression of the payment of worships. The 3rd of Ventose of the year III. (21st of February, 1795), Boissy d'Anglas carried his famous motion to the tribune of the Convention in the name of the Committees of Public Safety, of General Security, and of Legislation combined, to which, at several times, propositions relative to worships had been sent. The reports of the Commissioners of the Convention in the departments rendered urgent a measure calculated to pacify men's minds. Boissy d'Anglas received as many plaudits in the Assembly as Grégoire had reaped noisy marks of disapprobation. And yet he maintained the same

principle of public right, but he took special care to obtain pardon for it by lavishing insults on Christianity. To hear him, religion had not been less fatal in the present than in the past; it had, since the Revolution, provoked the civil war in Vendée, and everywhere let loose the most lamentable discords; it is by the blood that it had shed, that one followed its traces in history. The orator showed clearly that he was very far from demanding liberty of conscience in the interest of religion. He treated that as a chimera destined to disappear before philosophy. The vast organisation of public instruction sketched by the Convention, by bringing intelligence into all ranks, would soon overthrow these vain remnants of a time of intellectual slavery. "Very soon the religion of Socrates, of Marcus Aurelius, and of Cicero, will be the religion of the world." The surest means of delaying this triumph would be to employ other arms than those of reason for dissipating these old errors. It is, then, well understood that Boissy d'Anglas demands liberty of conscience not in favour of religion but against it, and in the hope of more quickly putting an end to it. This was, unhappily, the most insinuating of the exordiums pronounced in the Convention. In vain had the orator overwhelmed religious thought with his contempt; it was not the less certain that he had just acknowledged its invincible power, since what brought him to the tribune was precisely the necessity of reckoning with it, after that they had thought violently to suppress it. Place once given to the bad revolutionary passions in which he himself only too much participated at this period, Boissy d'Anglas forcibly established, from the political point of view, the principle of religious liberty, by giving to it for security the entire separation of Church and State. He unsparingly recalled the fatal error of the Constituent of 1789 on this point. "The instant had arrived for it to free the body politic from the influence of religion; it ought to have decreed that each citizen

should be able to devote himself to the practices required by the worship which he professes, but that the State should not bear their expenses, that no preference should be given to any worship. In place of destroying, it wished to create; to organise, instead of abolishing. It ordained for religion a pompous and expensive establishment." Hence was born the schism which so profoundly divided France. "What had been raised by feebleness and inability, was almost immediately overthrown by madness and fury. This sacerdotal establishment was struck down with the scandal of a frantic revel with the furies of fanaticism itself." Boissy d'Anglas painted in lively colours the recent religious persecution, so much the more culpable that it had broken out in regenerated France. He accused it of having crammed into the prisons women, children, and thousands of useful agriculturists. In such a situation, it is necessary to hold fast to the principle already admitted that worship *ought to be banished from the Government and no more to enter into it.* "Your maxims ought to be with respect to it those of an enlightened toleration, but of a perfect independence." The sole rule to follow in respect to divers worships is to submit them to the common law. Now, the common law is first liberty, next order and respect for the laws. Let religious associations be treated as all other associations; let no exception be made either in their favour or to their detriment. Let them be prevented, as is done to every association, from conspiring, or indeed from transforming themselves into a corporation. Let public establishments be refused to them; but let us not go further, for religious practices, however erroneous they may be, are not crimes against society. "The heart of man is a sacred asylum into which the eye of Government ought not to descend. Exercise vigilance over what you cannot hinder; arrange what you cannot forbid. Worships, whatever they be, will have from you no preference; you will not adopt

this in order to persecute that; and, considering religion only as a private opinion, you will ignore its doctrines and you will leave to each citizen the power to give himself at pleasure to the practises of that which he shall have chosen." It could not be better said: the sacred rights of the individual, which are those even of conscience, were thus reserved with sound sense, without encroaching in anything on the rights of the State.

Despite some demands for adjournment, the decree proposed passed during that sitting. It stated that, conformably to Article VII. of the Declaration of the Rights of Man, and to Article CXXII. of the Constitution, the exercise of no worship could be disturbed, that the Republic paid none, and furnished no place either for the exercise of the worship, or for the lodgment of its ministers. The ecclesiastical costume was not tolerated. The ceremonies of worship were forbidden outside the precincts chosen for its exercise. A grave restriction was placed on this exercise, for it was forbidden to mark places of worship by the least external sign, or to make any public convocation for the celebration of religious service. The decree further declared that there could not be formed any perpetual endowment or annuity for the expenses of a Church. Any gathering of citizens for the exercise of any worship whatsoever, was subjected to the surveillance of the constituted authorities; but this surveillance was confined to measures of police and public safety. Such was this celebrated decree of the 3rd of Ventose of the year III. (February 21st), which permitted religion to flourish again on the harassed soil of France, despite the restrictions which disfigured it, and the difficulties of execution which it encountered on the part of the administrative authorities. A deputy took care to stipulate that the new law should leave intact that relative to the ecclesiastics who had not taken the oath of equality. This was to leave a very great latitude to persecution, and to destroy with one hand what

they were endeavouring to found with the other; for religious liberty is acknowledged only when it is equal for all citizens. Nevertheless, by favour of the decree of the 3rd of Ventose, worship was re-established in all parts of France, as well for the refractory as for the Constitutional clergy. We shall depict later on this noble religious movement. It suffices to state it in order to comprehend the fluctuations of the Convention in regard to religious liberty, and to explain to us its decrees sometimes contradictory.

The law of the 3rd of Ventose, in fact, much surpassed the real state of minds in the midst of the national representation. Revolutionary passion, always ready to spring up again, too often drowned the voice of reason. Hence, the incoherence of jurisprudence in this matter. Accordingly, whilst in the sitting of the 6th of Ventose, Lecointre of Versailles, obtained from the Assembly the revision of the decree which condemned to transportation the citizen who had received into his house a nonjuring priest, in the sitting of the 25th Germinal (13th of April, 1795), the refractory clergy were denounced with an unheard-of violence on the occasion of the disturbances created by the dearth. André Dumont complained that the nonjurors celebrated mass under the open sky; he boasted of having caused a great number to be *collected* in a single night at Versailles, and accused them of preparing a new Vendée. He demanded that they should prevent the 'discontents which the conduct "of these infamous mountebanks" might excite. Rewbell does not wish that they should pursue them as priests, but simply as Royalists. Delacroix, ridiculously enough, appeals to religious liberty against these unhappy priests, and, by a strange inversion of parts, entreated the Convention to protect him, himself, his wife, and his children, against their persecutions. Cadroy goes much further, and challenges the decree on religious liberty, which seems to him too

liberal, since it prevents the destruction of the malevolent. Tallien mingles gross insults against the priests with some sensible words on the danger of giving them importance by putting them on trial. Chénier protests against those who do not wish that the blame should be directly laid on fanaticism. It is necessary to pursue it, to reach it, and to strike it down as the principal cause of the disturbances which rend the country, and he concluded by asking for a prompt report on the subject from competent committees. The Convention adopted his proposition.

This curious and melancholy sitting gives a just idea of the dispositions of the Assembly in respect to religious liberty, for we must not be deceived about it, every measure of rigour taken against the refractory immediately reacted on general liberty. We see, from the ecclesiastical journals of the time, how ill-disposed the departmental and communal administrations showed themselves towards the execution of the decree of the 3rd of Ventose, even when the question was of the priests who had taken the oath. "Incredulous and intolerant little tyrants," we read in the first number of the "*Annales de la Religion*," a collection published under the influence of Grégoire, "inundate the constituted authorities, the commissions, and the offices. Persecution is only diminished. Every day the Catholics are insulted by the public functionaries." They encounter invincible resistance to the re-opening their worship in conformity with the laws. At Sedan, Beauvais, Soissons, and Salins, the administration refuses them a locality, whilst it is eager to grant one for the public diversions. At Dieuze, in La Meurthe, a clerk of the district dares to overthrow an altar hardly set up.* Here is a graver fact; in the departments of the Basses and Hautes Pyrénées, a representative of the people flings into prison priests innocent of

* "*Annales de la Religion*," I. p. 44.

every political intrigue.* In the Corrèze, administrators of the district call the Catholics—who wish anew to celebrate their worship—malignant citizens, and tax it as an *old and absurd ceremony*. “Religious opinion,” say they, in a circular published by them, “is, doubtless, a sacred property. But there is another property more sacred still, it is that which belongs to the legislator to determine, for the advantage of all, the suitable mode for the manifestation of religious opinions.” Making use of this pretended right, they banish worship into private houses.† Elsewhere, the municipalities endeavour to weary the patience of the Catholics by infinite delays in the acknowledging their right. Others refuse to render to the priests their letters of priesthood, or expressly oppose the bringing the bodies of deceased persons, according to the rites of the Church, into the temple.

These details have their importance, for they show how little the sentiment of liberty was yet developed in the country. Meanwhile, the events which were being accomplished in Brittany at the same period, might have shown the partisans of the Revolution that the surest means of pacifying the country and gaining it to the Republic, was to practise large toleration in regard to religion. In the sitting of the 8th of Floreal (28th of April, 1795), the Deputy Lesage announced to the Assembly, in the name of the Committee of Public Safety, that the representatives of the people, convinced that the destruction of worships and the persecution of their ministers had been one of the principal causes of the rising of the Chouans, had charged the constituted authorities and the commanders of the armed force to secure the prompt execution of the laws concerning religious liberty. The representatives with the armies of the West, between Brest and Cherbourg, had taken the following resolution: “Considering that several

* “*Annales de la Religion*,” I., p. 264.

Idem, I., p. 267.

persons, attached by their opinions to different worships, or pretended to be such, do not yet enjoy the entire liberty of exercising them, resolve that the administrators of the district are authorised provisionally to grant to the citizens, who shall make individual request for it, the occupation of a national edifice to be used for any worship whatsoever, subject to the conditions of leases and contract, in conformity with the laws.* These measures were in perfect conformity with those taken by General Hoche in Vendée. "It would have been desirable," said he, one day, to Carnot, "that they should not have cried out unceasingly against the priests; to take them all away, is to wish to render the war eternal. If religious toleration be not admitted, peace must be renounced in these countries. Let the priests once be forgotten, and there will no longer be either priests or war. Let them be collectively pursued, and there will be war and priests for a thousand years. When a priest commits a crime, if he is punished as a priest, the inhabitant is shocked; if he is punished as a man, as a citizen, no one says a word."† "The Vendéans," said Laménais, with sound reason, "have not risen against the idea of liberty. I love to regard the Republic and La Vendée as two sisters, who tear each other only for want of understanding each other. The one represents to my eyes political liberty, the other religious liberty. If the Revolution had left to the Vendéans their churches and their priests, it would have found amongst them nothing but partisans. The Vendean mind is a devout republicanism.‡" What was true of La Vendée was so of entire France. Unhappily, its governors believed they were serving the Revolution by

* "Annales de la Religion," I., p. 65.

† "Mémoires sur Carnot," II., p. 75.

‡ Words of Laménais to M. Carnot, Jun. "Mémoires sur Carnot," II., p. 455.

sacrificing to it, on every occasion, the holiest of liberties, and they did not see that they were rendering it hateful and illegal.

The report demanded by Chénier, on the measures to be taken against the refractory priests, was presented by him in the name of the Committees of Public Safety, of General Security, and Legislation combined, in the sitting of the 1st of May, 1795. He defended himself against wishing to put on trial religion itself. "When a religious opinion," said he, "becomes a pretext for violating the law, it is not religious opinion which the legislator should punish, it is the violated law which he ought to avenge." According to him, the refractory priests had been invading France since the decree of the 3rd of Ventose, representing themselves as martyrs, and everywhere sowing royalism and treason, urging to revolt, and sometimes to assassination, as at Lyons. For these reasons, the reporter proposed to bring to trial every emigrant found on the territory of the Republic, according to the rigour of the laws. As for the priests who had returned to France, after having been condemned to transportation, they were bound to quit the country within a month, under penalty of being put on a level with the emigrants. On the proposition of La Reveillière-Lepaux, and despite the observation of Merlin of Douai, that it was necessary to guard against making a new Vendée, they extended this article to the priests condemned to transportation who had not crossed the frontier. The true import of this decree was clearly indicated by these words of the Deputy Berlier: "The Convention will not suffer the State to be rent by the schisms of the sectaries of any religion whatsoever." The Revolution wished, then, in its own way, to impose religious unity, and it was, truly, opinion which it persecuted.

The penalty of perpetual exile was definitively pronounced against the priests condemned to transportation, in the decree of

the 18th of Fructidor (September 4th). Three days after the publication of this judgment, every nonjuring priest, caught in the performance of an act of worship, was to be imprisoned, and the citizen, who should have lent him his house, condemned to a fine of 100 francs, and, in case of a repetition of the offence, to six months' imprisonment. Moreover, it was decided at the close of the fifth day that all nonjuring priests should be excluded from administrative functions.

The draft of decree presented by Chénier contained an article which forbade the celebration of any worship whatsoever in a public edifice. After a lively debate, this article was sent back to the Commission. The report on this very important question was presented by Lanjuinais in the sitting of the 4th of Prairial (1st of June, 1795). Religious liberty went forth triumphant from this debate, one of the most important, despite its brevity, of those which were raised on the right of conscience, and the law of the 3rd of Ventose thus received the happiest extension. On this occasion, Lanjuinais was worthy of his glorious past. He first showed, in the suppression of worships, the principal cause which kept up disaffection towards the Republic. "The enemies of liberty," said he, "close the churches in order to demoralise the people, and urge them to insurrection. Render to worships not only a nominal but a real liberty, by restoring the churches to the civil and religious uses of the inhabitants of the communes." Very far from the return to religion threatening the Republic, it was in localities where atheism was most in favour that the revolt broke out. The restorative measures taken for La Vendée, which, commenced by the re-opening of the temples, ought to be extended to the entire country. In consequence, Lanjuinais proposed that the free use of the temples should be granted to the citizens of the communes who should ask for it, under the reserve of pecuniary conditions which should be

afterwards fixed. The citizens belonging to different worships should be authorised to use successively and at hours determined by the administrative bodies, the same religious edifices. The Assembly voted without difficulty this part of the decree, received nevertheless by two rounds of hissing coming from the galleries. It was more divided for the adoption of the 5th Article, which was thus couched—"No one shall be able to fulfil the ministry of any worship in the said edifices, unless he has given a pledge before the Municipality of the place where he shall wish to exercise it, of his submission to the laws of the Republic." The Deputy Genissieu demanded that they should erase these words, *in the said edifices*; his evident intention was to submit to the same formality the celebration of worship in private houses. Cambacérès caused the restrictive clause to be maintained, for the reason that political authority has nothing to do with a man who does not disturb the public order, and that it very little concerns it whether he prays in one manner or another. "It is only at the moment that he forms a seditious mob," said he "that the surveillance of the ministers of the law ought to commence." This decree, sincerely applied, would have given religious liberty to France, for the temples would have belonged to all those who did not scruple to take an oath to the law—a formula of engagement much more liberal than the oaths which had preceded it—and the priests of a more timorous conscience would have peaceably celebrated their worship in private houses. We may attribute to the same liberal current the vote of the 22nd Fructidor of the same year (8th September, 1795); the Assembly repealed the decrees "which relatively to the confiscation of property, had assimilated to the emigrants the ecclesiastics transported or shut up for not having taken the prescribed oath." Lanjuinais had announced that a plan of police, of worships, destined definitively to fix the jurisprudence on this very delicate matter, should be

next presented. It was presented in the sitting of the 5th of Vendémiaire (27th of September, 1795). An obscure deputy, Defermont, rightly demanded the previous question, on the ground that, the priests not forming a separate class of citizens, special laws for them were not necessary. The Assembly went further, and voted a decree certainly very liberal compared with the too numerous laws which it had passed against the right of conscience. It developed and applied the principles of the decree of the 3rd Ventose. It placed as fundamental bases religious liberty and non-payment of worship by the Republic. It plainly declined all pretension to legislate on all that belongs to the domain of thought, and on the relations of man with the objects of his worship. No more was required of the ministers of different worships than a purely civic guarantee. The principal clauses were reduced to the following :—Art. 1 declared that every gathering of citizens for the exercise of any worship whatsoever, is subject to the surveillance of the constituted authorities. This surveillance was to be confined to measures of police and public security. Articles 2 and 3 guaranteed the free exercise of all worships, and smote with severe penalties every attempt to disturb them, or to restrain the liberty of conscience of any one whomsoever. Art. 3 contained the formula of the declaration required of ministers of religion. It was thus worded :—*I acknowledge that the totality of the French people is sovereign, and I promise submission and obedience to the laws of the Republic.* Evidently the first part of the declaration was too much, for it submitted the exercise of a right to the profession of a political theory and proscribed an opinion. Nevertheless, this decree would have sufficed to secure religious liberty and peace if it had not been contradicted by other measures.

The gravest of these measures was the law on the tenth-day festivals, which may be characterised as a timid attempt to uproot

Christianity from the soil of France. It was Hébertism such as it could produce itself after Thermidor, but pursuing not less under a more moderate form its design of extirpating the religion of the country. Only they aimed at it by devious ways, and substituted influence for violence. It is not that the authors of the plan in anything dissembled their thought; it is seen with perfect clearness from the different reports presented on this subject. By entrusting the organisation of the tenth-day festivals to the Committee of Public Instruction, the Convention sufficiently showed the importance which they attached to it; it was boldly to avow its intention to give new energy to the public mind from fresh sources. By choosing another day than Sunday for the national festivals, destined to effect so great a work, they openly announced the intention of supplanting Christianity. It is, nevertheless, what Chénier, without evasion, declared in his report, presented the 1st of Nivose of the year III. (26th of December, 1794). "All prejudices," said he, "tend to destroy liberty, and the most formidable are those which are based on mystic ideas." The reporter clearly designated by these words religious beliefs. He asks himself how it is possible to destroy them. It is not by violence, for we may kill men, we cannot kill opinion. The best means of opposing an obstacle to reviving prejudices, is to inaugurate great national festivals which shall be as the splendours of the Republican worship. Some days later (sitting of the 9th of Nivose) (December 29th), the representative Clauzel urges the Committee of Public Instruction to hasten its work "in order to ruin the influence of the reviving fanaticism." Lequinio, writing to the Convention from Joinville, where he was on a mission, closes, by these words, a letter full of declamatory accusations against the revival of the religious spirit:—"A remedy is necessary which will effect a radical cure; it is only in public instruction and the tenth-day feasts

offer one branch of it, so much the more important, that in them instruction will take the form of pleasure. Do not lose a moment in organising them." *

On the 23rd of Nivose (January 12th), Eschassériaux the elder, laying on the table a Bill, elaborated by him, carries frankness still further. The question is, indeed, of giving a new caste to the minds, morals, and customs of the nation: "Beware," said he, "the more the superstition *which you replace by civic festivals* had, by its prestige, possessed itself of the soul and senses, the more you must give to your festivals those impressions and those true emotions, which, whilst recalling all the energy of the dearest sentiments, end by destroying the dangerous illusions of fanaticism." The orator does not wish to shackle existing worships; but he hopes that they will fall of themselves before the national worship. The Committee, at length, made its report, in the sitting of the 17th of Pluviose (5th February, 1795), by the younger Eschassériaux as their spokesman, who strongly supported the considerations already presented to the Convention. "Tyranny and superstition," said he, "have desolated the earth, you are to enlighten its errors. On the ruins of all the errors, you are about to re-establish the course of the truths of nature, by founding the pure worship which is celebrated under the open sky, the only one which is worthy of the Supreme Being and of free man."

Again, this attempt to supplant Christianity was to sink down into impotency and ridicule. The sentiment of the Infinite is alone capable of founding a worship. Apart from their interests and pleasures, men assemble only around a Divine thought. We shall never succeed in gathering and moving them by vain abstractions. Neither patriotic hymns, nor instructions on the Constitution and agriculture, would suffice to exorcise the in-

* Sitting of the 14th of Pluviose of the year III.

curable weariness of these festivals ; people were even to be palled with the touching spectacle of old age contrasting with that of childhood. The solemn anniversary of the reproduction of existences had some chance of smoothing countenances ; but the inevitable lecture on the rights of the citizen, or on the culture of the potato, would, with difficulty, replace the sacred texts, for which the human soul is yearning, because they bring to it an echo from its country on high. The Committee of Public Instruction reckoned much on civic banquets, but it forgot that every thing depended on the bill of fare, for people were already tired to death of the republican tirades. Boissy d'Anglas proposed, indeed, that they should throw a little variety into the pleasures of the decade, by offering a rose to innocence, but the resource was small in the extreme. Of these festivals, decidedly instituted only under the Directory, there was to remain nothing but the recollection of the most laughable parody. They had only a single serious result, that of furnishing to incredulous fanaticism a convenient opportunity for shackling the free celebration of worship.

One of the principal works of the Convention in its last period was the elaboration of the New Constitution which France passionately demanded after Thermidor. The Constitution of 1793 had become the flag of the Mountain party—a flag covered with mire and blood—the triumph of which would have brought back the Terror. It was in the name of this Constitution that the national representation had been twice violated. The shapeless work of an oppressed Assembly, it bore the still hot impression of the passions of demagogism. For all these reasons it was odious to a nation eager for repose. The elaboration of the New Constitution was entrusted to a Commission in which moderate opinion was predominant. Daunou and Lanjuinais were members of it, and Boissy d'Anglas was its reporter. We can at once perceive that the hard experiences of the three preceding years

had overthrown more than one revolutionary prejudice. Thus the division of the National Parliament into two chambers, which had been disdainfully repelled by the Constituents of 1789, raised no opposition. No voice protested against the interdiction of the great popular associations which had constituted, during the first period of the Revolution, a permanent demagogic power in front of the regular powers. They had no wish to resuscitate the club of the Jacobins, any more than the too famous Commune of Paris. The Communal Assemblies were replaced by municipal and departmental administrations, composed of three or five members. The election was maintained by two gradations. For the Supreme Committees, which emanated from the Assembly, was substituted a Directory, composed of five members named by the Two Councils, and charged with the executive power, but within sufficiently narrow limits of responsibility. This Constitution, only the general features of which we indicate, was, doubtless, infinitely better than its predecessors, although it still had serious imperfections. In reality, the Two Councils were composed of elements too much alike to give a sufficient counterpoise, and the executive power was only a Commission of the Assemblies; it was unceasingly to aspire to increase its portion of influence and authority. We shall see what a sad *régime* resulted from a political organisation which might have been easily ameliorated, and have given liberty to the country if its moral tone had been strengthened. In what concerns religious liberty, the Constitution of the year III. laid down the great principles which had triumphed at the Convention since the decree of the 3rd of Ventose. At the express request of a representative, a separate article was devoted to the right of conscience. It was thus worded: *Every man is free in the exercise of his worship.** The

Sitting of the 16th of Messidor, year III. (4th of July, 1795).

Article 132 of the plan of Constitution, declared "that no one can be prevented from exercising, whilst conforming to the laws of police, the worship which he has chosen. No one can be forced to contribute to the expenses of any worship." André Dumont demanded that they should reject these words, *of police*, on the ground that such laws might be insufficient in presence of riotous factions. Lanjuinais rightly insisted on the danger there was in opening a door to intolerance, always inseparable from the laws of exception. Unfortunately, he could not persuade the Assembly. On the motion of one of their members, they added to the proposed Article these words: *The Republic pays no worship*. It was worth while to present with a full front this great principle, which was one of the most precious and most dearly-bought conquests of the Revolution.*

The adoption of the Constitution changed nothing (17th August, 1795) in the lot of the refractory priests. Chazal, deputy on a mission in the Haute-Loire, having believed himself authorised to suspend the decree of the 20th of Fructidor, the Assembly formally maintained it.† It was on these unhappy priests that it struck its last blow on the eve of its dissolution. Under the impression of the riot of the 13th of Vendémiaire (October 4th), provoked especially by its decision that two-thirds of its members should enter into the New Councils, it voted on the report of Tallien, who had become the chief of the violent party, a decree which removed from public functions every ex-noble, and every individual having provoked and signed in the primary or electoral Assemblies, decrees destructive to liberty; it also required the rigorous execution of the laws against the

* Sitting of the 30th of Thermidor.

† Sitting of the 20th of Vendémiaire.

emigrants, and rendered executory, in twenty-four hours, the laws against the refractory priests.*

Thus ended this great and terrible Assembly, which had saved the territory, but which had for a long time ruined the Revolution, by making it an object of terror for the world. It had consecrated glorious principles, accomplished admirable works, but it did not the less leave the nation wearied, demoralised, and setting nothing above repose, except it be military glory. Despotic to the end, it had even dishonoured its last hour by one of those measures of public safety which had so many times impelled it to crime, and which had inflicted on liberty a more mortal blow than all the combined forces of the coalition. The *coups d'état* were to follow the decrees of public safety. The way was widely opened to usurpation. Such is the fate of every revolution which, in proscribing God and trampling under foot the right of conscience, takes away all eternal base from that which it has tried to construct.

* Sitting of the 3rd of Brumaire (24th of October, 1795).

Chapter ii.

*Régime of worships under the Directory.**

THE Constitution of the year III., despite its imperfections, might have given France peace and liberty, if it had corrected itself whilst it lasted, for in preserving free assemblies, a country has always the means of raising itself without a shock. Woe to it if, in its impatience, it breaks this supple instrument of progress and reform! But respect for an assembly is inseparable from respect for the law, which depends on the moral development of the nation. Now, never since the commencement of the Revolution, was France so demoralised as under the Directory. What was wanting in 1789, was neither enthusiasm nor generosity, it was the inflexible principles which are drawn from a sphere higher than that of our fickle impulses. There is no absolutely fixed point in man, except in conscience, at the depth at which moral sentiment is confounded with the voice of God himself. We know to what a degree God was absent from a revolution, the daughter of the eighteenth century. Accordingly, when the hour of enthusiasm had passed, after the horrible fatigue of the years that had just been traversed, no

* See, besides the "Moniteur," Volumes VIII, IX. and X. of the "Histoire de la Révolution," by M. Thiers; the "Histoire du Directoire," by M. de Barante; "Recueil de Theiner;" the "Histoire de Pie VI.," by the Chevalier Artaud; the "Mémoires de Thibaudeau;" the second volume of the "Mémoires de Pontécoulant;" the second volume of the "Mémoires de Carnot;" "Correspondance de Napoléon."

solid principle remained standing, like the rock of the shore, to break the wave of the popular or governmental passions; the country was about to be tossed from insurrections to *coups d'état*, until one *coup d'état*, better combined than the rest, should give to these shameful crises the solution which they deserved. Republican hypocrisy, mingled with violence, characterises this sad period. To find entire sincerity outside the proscribed priests, who suffered for their faith, we must descend to the lowest regions, where, with Babeuf and his accomplices, the demagogic fury howls like a famished wild beast. The Jacobins get excited without enthusiasm in their assemblies, and repeat their old speeches before Thermidor, with the sole desire of again seizing the power and turning it to their own advantage. The Directory reckons two honest men, Carnot and Barthélemy, but it will very soon cause this anomaly to disappear; Barras, who united in his person the vices of the aristocracy and the insatiable greed of demagogism, will remain its influential man. Rewbell will be its politician, and La Reveillière-Lepaux will act the apostle in the name of his ridiculous and intolerant theophilanthropy. We may imagine what the Government will become in the hands of such men, surrounded, like all the powerful, with the courtier-like train of attendants who find no better means of flattering them than by exaggerating their defects. Internally they had only one policy, arbitrariness. They stop only before the guillotine, of which France decidedly wishes no more; but they are as audacious in their contempt of all legal guarantees, as the Committee of Public Safety in the worst days of the Terror. Externally, such a Government will be without good faith, without moderation, and supremely unskilful in the art of negotiating, for it will show itself much disposed to treat congresses as it treats legislative assemblies. Happily, it will have the chance of discovering the greatest captain of modern times, but the Directory will be able to reckon on the sword of

Bonaparte, only until the day in which he shall have amassed sufficient glory to dispense with its control, and amuse himself with its contradictory orders. The French, under the command of the incomparable general, manifest the marvellous aptitudes of their race for the war of conquest, strongly and skilfully conducted, but all these triumphs do not raise them from the abject condition into which they are fallen in civil life. With rare exceptions, there is no great citizen formed in these armies before which Europe recoils. On the contrary, most of the generals who there render themselves illustrious, return from them with contempt of right, ready to betray the Republic, like Pichegru, or to oppress it, like Augereau, by making themselves the docile police officers of a vile power. The young hero, on whom all eyes are fixed, and who has all *prestiges*, already manifests in his relations with parties, or in his negotiations with princes, that total absence of conviction, that disdain of right, that profound cleverness which has recourse to moderation by calculation, as it will have recourse to violence as soon as it shall have become useful, in fine, all those qualities of force and suppleness which make him at once so dear and so fatal to France. Has he not exactly depicted himself in these confidential words on the *coup d'état* of Fructidor: "Firmness would have sufficed; force, when one cannot do otherwise; but when one is master, justice is better." No, military glory, the natural lot of a brilliant and energetic race, and which ought also to honour the defence of liberty, does not give, by itself alone, any of the true grandeurs of a free people. We might hope, for a moment, that the moderate and liberal opinion which had sent numerous representatives to the Two Councils, and which prevailed the following years, every time that the balloting was respected, would raise the country some little. Unhappily, several of its chiefs had too many mental reservations, and some were conspiring against the Republic. It was, besides, promptly crushed,

and it served rather to goad the evil tendencies of the executive power than to arrest them.

It was precisely on the religious question that the most violent collision occurred between the moderate party and the majority of the Directory strongly supported in the Two Councils. All those who did not wish to keep the country in a state of Revolution, either through incurable fanaticism, or in order to throw their nets into these troubled waters, aspired above all to peace for consciences. Worship was re-established in all parts of the country, and it was acknowledged how indestructible is the religious sentiment. The most simple good sense was sufficient to comprehend that the best policy consisted in abandoning religion to itself, and in rising with anger against the laws which had kindled civil war, and the suspension of which had so promptly appeased La Vendée. The Convention, by abrogating the Civil Constitution of the Clergy and proclaiming the separation of Church and State, had removed the most insurmountable obstacle to measures truly restorative. It remained only largely to apply them, and to complete them by revoking its last decree against the nonjuring priests. If it was thought that the moment had not arrived for abolishing every kind of oath, it was easy to find a formula which should imply obedience to the laws without encroaching on religious convictions. There were no surer means of rallying around the new Government the populations of the West and South, and of thwarting all the intrigues of the emigrants, who had no better card to play than republican intolerance. Such were the sentiments which animated the New Third of the Councils, and which were shared by the moderate portion of the re-elected members of the Convention; they had every reason for presenting this opinion as that of their constituents, since numerous and energetic petitions unceasingly conveyed the expression of it before the Council of the Five-

Hundred. Unhappily, nothing was more repugnant to the majority of the Directory and its partisans than sincere respect for liberty of worships. Pure Jacobins, such as Barras and Rewbell, hated religion in itself. They no more wished for the God adored by ancient France, than for the Supreme Being invoked by Robespierre. They definitively ranked him amongst the vanquished of the 10th of August and 9th of Thermidor (July 27th, 1794). He represented in their eyes all that they detested in the past, and also that troublesome morality which throws a dark shadow over the future of the wicked. We have already said that La Reveillière-Lepaux had his private divinity to protect. He was a philosophical inventor of religion; that is to say, that he belonged to the most intolerant race; in order to make room for the ridiculous worship which he patronised, he was disposed to throw down every rival altar. He relied little on the charm of that sentimental pastoral which he wished to substitute for the adoration of the God of the Gospel, and he counted more on measures of proscription than on garlands of flowers and bowls of milk, touching emblems of the theophilanthropy. Everything announced that the struggle would be sharp between the moderate party, who seriously desired liberty of worships, and the Directory, who passionately wished to sever France from her ancient religion.

Scarcely had the Two Councils voted, in August, 1796, the law on the security of the State—a law with a double edge, directed against the extreme Jacobins and the Royalists—than an abominable and senseless decree against the refractory priests was presented to them. Surely, the law of the 3rd of Brumaire (October 24th), which had required within twenty-four hours the execution of all the laws passed against them, afforded ample opportunity for their persecution. The Directory, in provoking by one of its own number, a new and especially a similar decree, evidently only

wished to throw down the gauntlet to the moderate party, and to make, in the face of the country, their profession of revolutionary faith. True, the decree of the 3rd of Brumaire had been almost nowhere applied. The question was of conjuring up this public peril as early as possible.

The Bill submitted to the Assembly declared that every priest, who should not have taken the oath to the Civil Constitution of the Clergy, should be transported, and should not be able to urge the political oath taken in 1792, nor the submission to the laws of the Republic. Within twenty days, all priests affected by this law, were to present themselves to their Municipality to receive a passport. Every ecclesiastic who should not have obeyed this injunction, was to be regarded as a returned emigrant, that is to say, condemned to death. An exception was made in favour of the priests above sixty years of age. There was granted to them a delay of ten days, to allow of their betaking themselves to a house of seclusion. The functionaries convicted of having neglected the execution of the present law, were liable to two years imprisonment. Such a decree was the putting of the unsworn Church outside the pale of the law, and the formal proscription of one of the worships which gathered the greatest number of citizens. It was one of the most infamous outrages against conscience which had yet been tried. The debate was very warm; the revolutionary fanatics, such as Drouet, would not admit objections against so admirable a measure. A deputy bitterly complained of the strange pity of the Moderates for men who breathed only to overturn the Republic. Pastoret replied with energy, and declared that the proposed law was more barbarous than the black code. With what right did they treat as factious the defenders of justice, who, after his example, combated measures worthy of the worst times of the Terror! "The enemies of liberty," said he, courageously, "do you wish that I should make

them known to you? They are men who, animated not by the national spirit, but by the spirit of faction, look at the country through their hatred, their distrust, their pusillanimity; they are those who tread under foot the Constitution, unceasingly call for revolutionary measures, and drive us on to the gulf of anarchy and despotism." Some violent persons found the law too mild. There was even one voice raised against the mitigations proposed in favour of the sexagenarian priests. "Those old priests," said the orator, "with their white locks, inspire more respect, exercise more influence; their benedictions have greater value. Women adore these great lamas, these old fetiches; the women then react on the men: thence comes all the mischief." These odious words were as unbecoming as they were harsh. The Council voted the decree thus aggravated. It was carried to the Ancients, but the report was deferred. There was not found an orator to press the conclusion of these sad debates, and the proposition was, in the issue, laid aside.

The attitude of the Directory, in the relations of the Republic with the Holy See, belongs to the same violent and imprudent policy, which rejected discretion where it was specially necessary. General Bonaparte, after his first victories, decided to treat with the governments of Southern Italy; he did not wish to leave behind him enemies whom he could not yet strike down. It was this that induced the first conferences with a court that had been the most active centre of opposition against the French Revolution. The young general was too consummate a politician to propose conditions that could not be realised, in a negotiation which it was his interest to bring to a conclusion. He was accordingly very much displeased with the manner in which the Directory had disposed of the affair, after the armistice concluded by him at Bologna. But he had not yet won sufficient victories to speak in the tone of a master. The Pope granted, without

delay, the sacrifices of money which were demanded, although it was particularly difficult for him to empty his treasury at a time when he was sustaining a considerable number of refugee priests. He no longer raised any objection against the removal of the objects of art, which were wrested from him for the museums of Paris. But it was not possible for him to admit the new proposals transmitted to him by Count Pierucchi, his delegate to the Directory. The question concerned nothing less than the withdrawal of the briefs by which he had condemned the Civil Constitution of the Clergy. Nothing was more unreasonable than such a demand. The temporal prince might despoil himself, but the Head of the Church could not, without dishonour and abdication, submit one of his doctrinal decisions to the fluctuations of politics. The whole Catholic Church was thus put on trial and offended. The Directory endeavoured to accomplish with respect to the conscience of its head the outrage of which the Revolution had been guilty towards the nonjuring priests. What folly was there not in raising and aggravating externally the most serious difficulty that the Republic had encountered internally? We recognise there, indeed, the imbecile obstinacy of a sectary such as La Reveillère-Lepaux. Although ill, the Pope convoked a consistory, who unanimously decided that they could not grant such a demand without entirely subverting religion.* The unhappy Pontiff exclaimed: "We find the martyr's crown more brilliant than that which we wear on our head." It was very well understood at Rome that the Directory, in reality, wished for war, since it demanded what it could not obtain. They accordingly prepared themselves for defence, but without hope, for no external succour was to be expected. Bonaparte wrote in a very harsh tone to this court of old men, whom it was easy to frighten.

* "Histoire de Pie VI.," by the Chevalier Artaud, p. 365.

He enumerated his victories, and threatened to crown them by the overthrow of the Papal power. Nevertheless, underhandedly he sought conciliation through the medium of Cardinal Mattei. The latter replied with dignity to one of his imperious summonses : "Sir General, the successes of your army of Italy have blinded you through an intolerable abuse of prosperity ; not content with having shorn the sheep even to the skin, you wish also to devour them, and you require the Pope to sacrifice his soul, and that of the peoples whose fate is confided to him. You demand the total destruction of the bases which constitute the Christian religion. The Holy Father, dismayed by this insupportable pretension, has thrown himself into the bosom of God, to pray Him to enlighten his servant on what he ought to do in such circumstances. The Holy Spirit, doubtless, has enlightened His servant, and has recalled to him the example of the martyrs."

This language was stamped with dignity. The victories obtained over the miserable Pontifical troops were without glory. Bonaparte was accordingly in haste to conclude peace, despite the passionate suggestions of the Directory, who would have held above everything to the overthrow of the Papacy. "You are too accustomed to politics," we read in a despatch addressed from Paris in February, 1797, to the General of the army of Italy, "not to have felt as well as we, that the Roman religion will always be the irreconcilable enemy of the Republic ; first by its essence, and then because its servants and ministers will never forgive the blows which it has inflicted on the fortune and credit of some, and on the prejudices and habits of others. The Directory invites you to do all that shall appear possible to you, without re-kindling the flame of fanaticism, to destroy the Papal government, either by placing Rome under another power, or better still, by establishing a form of internal government, which would render the yoke of the priests odious and contemptible." It

could not be more frankly avowed, that the French Revolution intended to turn to its advantage a war of opinion and religion. Bonaparte comprehended all the grave and dangerous results involved in the premature downfall of the Pontifical throne. He was, accordingly, prepared to treat. He no longer spoke of the senseless clause of making the Pope revoke his briefs on the Civil Constitution of the Clergy, and he signed at *Tolentino* (17th of February, 1797), a treaty by which he obtained from the Holy Father the abandonment of the Legations, the renunciation of his pretended rights over Avignon, a large war contribution, and the surrender of precious objects of art. The treaty of Tolentino may always be appealed to against those who pretend that the temporal dominion of the Holy See is absolutely inalienable. It proves that, like all terrestrial powers, it is subject to the hazards of politics.

The elections of 1797 had strengthened, in the Council, the influence of the moderate party, and it assumed a more decided manner. Several of the new deputies, such as Camille Jordan and Royer-Collard, had been strangers to the violent measures of the Revolution. They were new men, embarrassed by no anterior engagement. They were, above all, strangers to the anti-religious passions, and they represented populations much attached to Christianity, and more and more dissatisfied with the intolerance of the Directory. The session opened in a significant manner by the nomination of Barthélemy as a Director, and by the revision of the revolutionary laws. The religious question could not fail to be promptly entered upon. Already in the sitting of the 13th of June, Gilbert Desmolière, in a report on the finances, complained of the low state into which public education had fallen. An increasing number of parents refused to entrust their children to schools from which religious instruction had been carefully banished. This very marked awakening of the religious senti-

ment, to be hereafter described, rendered particularly odious the laws of persecution which figured in the first rank in this revolutionary code which they had begun to revise. Camille Jordan made himself the organ of the demands which surged up from every part against the hindrances to liberty of worships. He pronounced, in the sitting of the 16th, a memorable speech, in which he defended the right of conscience for all citizens indiscriminately, without feeling himself obliged to seek forgiveness for his boldness by invectives against Christianity. He did not fear to borrow from religion some elevated considerations. "Do not be astonished," said he in commencing, "at the interest that these men, accustomed to nourish themselves with religious ideas, attach to them. These ideas assure to them enjoyments independent of the power of men and of the strokes of fortune. The need of them is, above all, felt amongst nations in revolution; then is hope specially necessary to the unhappy; these ideas cause a ray of light to gleam upon them in the asylum of grief; they illumine even the night of the tomb. Legislators, what are your benefits by the side of this immense benefit?" The orator then invoked respect for the popular will, which was showing itself more and more firmly attached to religious institutions. "Yes, legislators," added he, "it is useful and precious for you that religions exist, that they exercise at large their powerful influence; they alone speak effectually of morality to the people; they prepare your work,—they could finish it without you. Laws are only the supplement of the morality of peoples. If it is wished to raise a barrier against the disquieting progress of disorder and crime, it is necessary to render liberty to all worships." Camille Jordan explained, without evasion, what he understood by this liberty. He established, with powerful logic, that the priest, not being a functionary acknowledged and paid by the State, ought not to be subjected to any oath or political declaration. The citizens

ought to be allowed to elect priests of their own choosing. The civil power had to occupy itself only with the maintenance of public order; all that had relation to religion was outside its jurisdiction. It followed that the citizens should have the right of buying or renting temples, of assembling there, of erecting there the signs of their belief, of practising its ceremonies and publishing its doctrines. It should even be permitted them to have a domestic temple in their house; the determination of the holy-days belonged to the different Churches. It was only too easy for the reporter to show how much, on all these points, liberty of worship was trammelled in France under the influence of revolutionary prejudices. Camille Jordan then insisted, with energy, on the absurdity of the decrees which prohibited the priests from convoking the faithful by the sound of bell, according to the ancient custom: "Why," said he, sensibly, "should we, then, oppose a philosophical superstition to the superstition which attaches the women of our villages to the bell of their parish?" Funeral ceremonies had been, since Chaumette, the object of impious or ridiculous regulations. "Ah! I conceive," exclaimed the orator, with a sublime eloquence, "why these tyrants, who have covered France with tombs, stripped them of their pomps! why they cast, with so much indecency, the last remains of man into the receptacle of the cemetery. They had need of despising humanity, and it was necessary to stifle the generous sentiments whose reaction would be terrible to them." Camille Jordan thus concluded: "You will realise the ancient wish of philosophy; you will give to the world the spectacle of a great empire in which all modes of worship can be practised with an equal protection, and inspire affection for men and respect for laws."

This speech was an event. It excited the fury of the ban and arrière-ban of the Jacobins. They tried, by foolish railleries on the ringing of bells, to cause the great maxims of public right, and

the noble words which had that day honoured the National Tribune, to be forgotten. The discussion on this report took place in the Council of the Five-Hundred, two months afterwards (8th of July, 1797), at the end of a smart debate on the emigrants. The Commission, in the name of which Camille Jordan had spoken, had presented to the Assembly the following proposition: "The laws which have pronounced the penalty of transportation or seclusion against the priests, for the sole cause of refusal of the oath and of declaration of submission to the laws of the Republic, are repealed. The laws passed against the citizens, who should have given asylum to the said priests, are equally repealed. The said priests shall recover all their rights as citizens." This measure would have admirably completed those proposed by Camille Jordan. General Jourdan, who belonged to the extreme portion of the revolutionary party, opened the discussion by one of the most violent speeches against all modification of the existing laws. The influence of religion seemed as deadly to him as it had appeared beneficent to Camille Jordan. "The priests," said he, "can create or destroy governments, transform Louis XVI. into a martyr, and devote to ignominy the heroes of the Revolution." The orator wished that they should be subjected to a declaration of submission to the laws of the Republic, and that all the churches should be sold. He energetically opposed the recall of the refractories, for the reason that good policy places itself above legality "in a time of revolution, in which one of the parties must crush the other." It was on this ground that the debate was carried on with the greatest spirit; the left appealed to the exceptional situation of the country, and passionately defended the measures of public safety; whilst the right demanded that they should put an end to a crisis so prolonged, and inaugurate the reign of law. Lemérér and Boissy d'Anglas eloquently sustained this last party; Boulay de la Meurthe

awkwardly defended the Civil Constitution of the Clergy; and Lamarque shook anew before the Assembly the poniard of the Saint Bartholomew, so often appealed to in these debates as a decisive reason for persecuting the priests. "We do not wish," cried he, "for the God of their fathers, for their fathers were barbarians. The true God is that of toleration and humanity." Whence the orator concluded that it was necessary to maintain the most intolerant measures. There is heard in this discussion the grave voice of a young deputy destined to exercise a great influence on the liberal party for many years. Royer-Collard made his first appearance at the tribune by defending the noblest of causes. We find in this first speech the stern vigour of his language, and also that masterly ability to enlarge the debate at the risk of rather losing it in abstraction. He showed, with sound sense, that the Catholic religion was profoundly rooted in the country, that it was indestructible there, that it had survived the monarchy, the birth of which it had preceded, and triumphed over all the attacks which had been made upon it by revolutionary tyranny. "A rising Government which should persist in proscribing it, would see the blows recoil upon itself which it would inflict on religion." The young orator was wrong in boasting beforehand the *régime* of the Concordats. "Whenever," said he, "there exists in a State a religion generally and for a long time adopted, it is necessary for the Government to form an alliance with it based on the interest of a reciprocal support." This was precisely what the Constituent Assembly had tried in the Civil Constitution of the Clergy, and it would have been wiser to renounce every enterprise of the same kind. Royer-Collard displayed a manly eloquence in depicting the sufferings of the Church under the revolutionary *régime*. "Do not fear," said he, "that the Catholic religion may abuse liberty by aspiring to tyranny. No, she will neither oppress other sects, nor the negative liberty of the in-

different; attacked herself each day, despoiled of her external ceremonies, bereft of her pontiffs, she has enough to do to defend herself; it is not the time for her to meditate conquests." To those who appealed to, as a peril, the power of the high clergy under Ancient France, the orator thus answered: "It would be the strangest inconsistency, and the most atrocious mockery, to accuse them to-day of what they have been, and to raise against them the remembrance of a power so completely vanished. Doubtless, after long and bloody sufferings, there are implacable remembrances, there are immortal hatreds; but experience teaches us, but our own hearts attest, that these remembrances, that these hatreds are especially felt by the oppressors, who spurn the public pardon, because they cannot obtain that of conscience, condemned to crime by crime, true enemies, sole enemies of the public peace. The oppressed, on the contrary, when he has settled into a sentiment of resignation, considers the mere cessation of his evils a benefit; he repays this benefit with all his gratitude. What do I say? he attaches almost the idea of justice to moderation in injustice. They hate, it is said, the Republican Government; but which? Is it the Revolutionary Government? Ah! I believe it without difficulty; it has crammed them into prisons and made them perish by massacres, hunger and cold; it has drowned them, shot them, and presented them as a spectacle of carnage. But the government which shall repair what is capable of being repaired, why should they hate it?" The peroration of the speech is admirable: "Justice, confidence, generosity so much decried by tyranny, you are not only the most noble sentiment of the human soul, you are also the greatest thought of governments, the most learned political combination, the most profound of crafts. To the ferocious cry of the demagogue invoking: 'Boldness, then boldness, and still boldness!' let us reply by this consolatory and conquering cry, which shall resound throughout all

France: 'Justice, then justice, and still justice!'" The Assembly voted, almost unanimously, the Bill which put an end to the transportation of the nonjuring priests. The left obtained the article relative to the declaration of submission to the laws only on the second debate. Notwithstanding this restriction, liberty of worships had obtained a great victory, and its triumph would have been soon complete if this beneficent movement had not been suddenly arrested by the *coup d'état* of Fructidor. It is certain that one of the principal causes of this outrage was precisely the re-establishment of the liberty of worships. The report presented at this period by Thibaudeau on the political situation of the country, leaves no doubt in this respect. "They dénonce to us," said he, "the insolence of the emigrants and refractory priests, recalled and openly favoured. The Council of the Five-Hundred, despite of party spirit and the rising pretensions of a worship formerly dominant, has conformed to the principles proposed by philosophy and sanctioned by the Constitution: liberty of conscience, equal protection for all worships, submission of their ministers secured by a declaration."

We have not to recount the circumstances of the hideous ambushade of the 18th of Fructidor (September 4th). That violation of the national representation, skilfully calculated by the depositaries of authority, is infinitely more culpable than the popular irruptions. The mixture of cunning and violence renders the crime more odious. We must throw a veil over those fatal days in which a drunken soldiery brutally insults the right that it suppresses—those days in which it can laughingly repeat this word of an obscure officer to the proscribed whom he was charged to arrest: "*Law! It is the sabre.*" Such days are a great dishonour for the armies which lend themselves to them, and for the countries which support them; their victories alone go forth from them pure and glorious. Most of the generals praised the

coup d'état of the 18th of Fructidor; the reserve of Bonaparte was only owing to his ambitious calculations. It was the criticism of a consummate gamester on a hazardous and ill-contrived move, and not the indignation of a friend of liberty. The *coup d'état* of Fructidor had no plausible pretext. It is not true that the Republic was threatened, because the Council of the Five-Hundred was returning to moderation. What was really on trial was not the form of the Government, but its policy; it was revolutionary violence which the majority of the Directory did not wish to renounce. The question was to know if the Republic should become liberal, or if it should continue to rule as the ancient monarchy by State reason, which tramples under foot all notions of right. The outrage of the 18th of Fructidor was accomplished to the profit of the revolutionary dictatorship against the rising liberty. If it did not make blood flow, it was not the less a murderer, for the transportation which it practised was nothing else than a condemnation to death, a slow punishment. From that fatal day the Republic was lost; it showed itself decidedly incompatible with liberty, and under pretext of perpetuating itself it lost all right of existence. The immoral and iniquitous power which pretends to represent it, cannot even maintain public order, taken up, as it is, with continuing in order to make the most out of the country. Accustomed to managing nothing, it renders peace impossible, and it tears to pieces the scarcely-concluded treaty of Campo-Formio. With the finest armies and the best generals in the world, it loses the fruit of the last campaigns, because it is guided in its capricious choices solely by the desire of recompensing its creatures and removing its rivals. The unexpected stroke of fortune at Zurich was necessary to prevent a great disaster. The brilliant and barren expedition to Egypt, after having served the interests of the Directors, uneasy from the proximity of a dazzling glory, turns to

the profit of the absorbing personality which is about to possess itself of all the forces of the country. In the interior, the power can preserve the results of the *coup d'état* of Fructidor only by new *coups d'état*, base and hypocritical, which dishonour France. The elections of 1798, which have sent to the Councils a moderate and liberal fraction, are annulled by the law of the 22nd of Floreal, which boldly declares that, when the majority of the electors has not granted its approval to the Government, it belongs to the minority, united in dissident section, to give the true representation of opinion. In vain does the Directory multiply revolutionary measures, suspend the liberty of the press, practise domiciliary visits, and incessantly return to the most unbridled arbitrary rule. The country will have no more of it. The new elections made in 1799, and which they dare not annul, cause it to lose the majority in the Councils.

La Reveillière-Lepaux and Merlin have to withdraw before an unreconcilable opposition. Sieyès becomes master of the situation, but people very soon ask themselves what has been gained by this new change, when they see the abominable law of hostages issue from the first deliberations of the renovated Councils. The Convention had imagined nothing more iniquitous than a measure which implicated the relatives of the emigrants or suspected in intrigues of which they were perfectly innocent. In reality, the reaction against the Directory did not come so much from the moderate party, decimated by the *coup d'état* of Fructidor, as from the Jacobin party, which it had sometimes caressed, sometimes repelled, but never satisfied. It was not ideas which clashed, but ambitions. The country was weary of all these continual perplexities of which it was the victim; it was accordingly ready to yield itself to any one who would give it repose. Sieyès thought to do this, but he was obliged to withdraw to the back-ground as soon as General Bonaparte had set foot on the soil of France.

The conqueror of the Pyramids was admirably prepared to occupy the position and govern it. He had glory, the genius for administration, as well as that for war, the gift of fascinating minds, and no principles to cramp his excessive but profoundly skilful ambition.

The 18th of Brumaire (November 8th) is the merited solution of the crisis of Fructidor; it is not a deliverance, it is a chastisement, with glorious compensations—but compensations which will be destroyed one after another; for the moderation which would preserve them is not compatible with the ardent genius which has shown, on the very day of its triumph, that it accepted no moral curb. I know nothing more sad in contemporary history than the scenes which precede the fatal date; the conspirators making a sport of humbling the National Parliament and banishing it to Saint-Cloud, in order that its dying voice may awaken no echo in Paris; the Councils themselves not knowing how to honour their defeat, and finding only the passions of the clubs when they ought to have spoken the manly language of right; General Bonaparte stammering at the tribune, and turning pale before the greatly-marred image of liberty, until he has given to his grenadiers the concerted signal—all that in the name of the principles of 1789—what a pitiable comedy to introduce an epopee! Happy the people who have not seen, and seen again, such scenes. Let them boast to us of order re-established in the finances and on the highways; let them celebrate the miracle of Marengo—but let them not go further, and let them not ask us to applaud the 18th of Brumaire as the triumphant conclusion of the drama of the Revolution.

“Nos pères étaient morts dans une autre espérance.”
Our fathers died in another hope.

We can easily imagine the attitude of the Directory since the

18th of Fructidor, in respect to liberty of worships. They found nothing more urgent than to repeal the last decrees proclaiming it, and again to put into operation the severest measures against the nonjuring priests. La Reveillère-Lepaux, in his message to the mutilated Councils, thus qualified the restorative laws just voted : "Superstition and fanaticism have been recalled by the very persons who, under the monarchy, had helped to destroy them."* There was added to the declaration of submission to the laws of the Republic the oath of hatred to royalty. Nearly two hundred priests were transported to Sinnamari with the moderate representatives : almost all died in a few months. In France, persecution was renewed with violence. Domiciliary visits were authorised to search out again the refractories, who once more filled the prisons and the hulks. The representative Chollet vainly tried to get liberty of worships sanctioned anew under the reserve of a simple declaration of submission to the established Government. This Bill, submitted to the Council of the Five-Hundred in the sitting of the 14th of Frimaire (December 4th), was set aside in that of the 23rd of Nivose (January 4th) by the previous question.

It was no longer merely as factious persons that priests were pursued, but as ministers of an abhorred religion. The institution of the tenth-day festivals offered a convenient means of persecuting the adherents of the ancient worship. The representative Duhot, who, for his fiery and bitter zeal against the Sabbath, deserved to be called the Chevalier Décadaire, got passed, on the 28th of Brumaire year VI. (Nov. 18th, 1798), a decree, according to which, the celebration of the tenth-day was enforced. Duhot, in the sitting of the 3rd of Brumaire, had thus justified his proposal : "In vain would they tell you that you hurt the private regulations of each sect ; legislators are not bound to study the religions in

* Sitting of the 18th of Fructidor, Year III.

order to create laws ; it is for the ministers of public worship to study these laws in order to establish their religion. In vain would they still tell you that you wound individual liberty, only the enemies of general liberty will hold this language to you." The Jacobins in the Council of the Five-Hundred, not content with having got decreed the forced celebration of the tenth-day, wished, also, that the celebration of the Sabbath should be formally prohibited. Some deputies observed that such a measure would place France below the States of the Pope in the matter of religious liberty. Their amendment was rejected on the ground that it was not republican. "It is the external sign of a worship," said the representative Duhot,—“that closing of all shops.” He concluded therefrom that the rest of the Sabbath inflicted a blow on the legislation of the country. “What !” exclaimed he, some weeks after that, “the great priest of Rome, so long attacked by philosophy, and dethroned by your true defenders, is obliged to carry his vagabond piety from place to place ; his ministers dare still exercise amongst us an insolent despotism ; they forbid to work on the Sabbath, and prevent Catholic workmen from occupying themselves that day in their workshops.” Such speeches reveal to what a degree of baseness the French tribune was reduced. The Assembly took into serious consideration the proposition to transfer to the tenth-day all the religious festivals, and sent to the Commission, with its approbation, a motion, the purport of which was, that it was forbidden to close the shops on the days consecrated to rest by the ancient calendar. A decree was also demanded to prohibit, under severe penalties, every usage and practise which should derogate from the republican calendar. They required that the fairs should be referred to other days than the tenth-day, with the manifest intention of giving the preference to the Sabbath, in order the better to strike at religious habits. There was even a deputy found to propose that they should grant

protection only to those tradesmen who should take the oath to use none but the republican weights and measures, and to keep their shops open on the Sundays and festival days of the ancient calendar. We should thus have had the sworn and the refractory of the shop, after having had those of the temple. This was not yet enough : an obscure deputy demanded that, in place of reckoning the preceding centuries from the birth of Jesus Christ, they should reckon them backwards from the foundation of the Republic. These propositions, odiously absurd, were all sent to the Commission, which would have most certainly converted them into law, if the storm of Brumaire had not swept away all these impertinencies.

The violent party might, however, take patiently the slowness of the legislative machinery. The administration served it to its heart's content, and practised a vile and bitter persecution over the entire surface of the country. Already, in the sitting of the 25th, Frimaire year VI. (Dec. 15th, 1798), Grégoire had complained of a circular of Gohier, the Minister of the Interior, who demanded of the ministers of all religions to transfer their services to the tenth-day. "How many unhappy priests," we read in the "*Mémoires de Grégoire*, "hunted, imprisoned, transported beyond the seas, for having refused to submit to the decrees by which the municipalities and administrators invited, under penalty of transportation, to transfer the Divine services to the tenth-day! The members of the central administration of Yonne, indisputably obtained the palm in this kind of tyranny."* Let us imagine to what a degree such measures must wound the religious sentiment, and even exasperate it, by being periodically repeated and by causing a hateful tyranny to descend into the most minute circum-

* "*Mémoires de Grégoire*," II., p. 77, &c. See also the curious work : "*Mémoire en faveur de Dieu*," pp. 236, 237.

stances of life, in such a manner that it cannot be forgotten for a single instant.

The events which had just taken place in Italy were quite of a nature to put the climax to the discontent and indignation of all the adherents of Catholicism. The treaty of Tolentino concluded with the Holy Father, had been only a truce. It would, doubtless, have been otherwise if General Bonaparte had remained in Italy. The Directory, freed from all control after Fructidor, passionately pursued its favourite plan of overthrowing the Papacy. It began by openly favouring the revolutionary party at Rome. General Duphot, the intended brother-in-law of Joseph Bonaparte, plenipotentiary of the Republic to the Holy See, was killed in riot, without its being known whether he had sought to excite or to calm it. It was the occasion desired for the rupture. The unhappy Pius VI., although broken down by age and sickness, was carried off from Rome, transferred to Tuscany, then into France, where he died at Valence, miserably for himself, gloriously and usefully for his cause, since his presence and sufferings excited the most lively enthusiasm in the very place of his exile.* The Directory might be convinced that nothing is more dangerous than to make martyrs, since it was these outrages against the liberty of religion which most contributed to dishonour and destroy it. It fell into infamy and impotency; its policy had been so hateful that the *coup d'état* of the 18th of Brumaire seemed a reparation to many honest but deceived people. Nothing condemns it so severely as the satisfaction with which the country saw it replaced by the military dictatorship. It must, indeed, have disgusted France for the latter to congratulate herself on such an end of the great liberal movement of 1789!

* See the "Histoire de Pie VI.," by the Chevalier Artaud.

Chapter iii.

The Altars raised again by Liberty.

LIBERTY of worships has not really existed a single day in France during the course of the Revolution. We have seen to what degree it was restrained, even under the *régime* of the separation of Church and State ; and yet we have mentioned only legislative measures, or those which emanated from the superior power. We shall have frequent occasion to prove how much more rigorous these measures became in their application ; almost everywhere the local administration singularly aggravated them and openly placed itself at the service of the anti-religious passions. Nevertheless, despite all these disadvantages, religion profited by the incomplete liberty which was allowed to it ; and from the day on which it ceased to enter into the administration of the country, and was abandoned to itself, it rose again, with astonishing rapidity, from the discredit into which it had fallen : the France of the eighteenth century presented the unexpected sight of a powerful awakening of the Christian faith. Nothing, then, is more false than to attribute to a fortunate *coup d'état* the raising again of the altars. No, they arose of themselves on a soil still trembling and covered with ruins. The First Consul only arrested one of the finest religious movements which have honoured our country, by seeking to regulate, or rather to regimentalise it.

Truly, no task was more difficult than that of re-establishing worship without any other support than free convictions, in a country where sensualism had seemed the last word of philosophy, where a railing impiety had reigned undisputed in the drawing-

rooms, in order to descend like an overflowing torrent from these social heights into the streets and crossways. The question was not only of combating subversive ideas, but also of conquering all the bad passions which profit by them. On the morrow of the Terror, the moral state of France was deplorable. She had commenced by making to herself of liberty a religion ; the crimes committed in its name had quickly disgusted her, and as she had not preserved the beliefs which console for all deceptions, and save the soul from a universal and morbid doubt, with her illusions she had lost the faculty of believing, that is to say, the great moral spring which is the curb *par excellence*.

This scepticism did not hinder her renewed force from boiling up in her, and she had still much of it to employ, even after what she had expended in war. Paris was possessed with a sort of madness for pleasure as soon as the depressing tension of those evil days had ceased. It threw away the red cap, but it carried into the festivals the passion which had rendered it so cruel ; it was once more seen how kindred pleasure is to sanguinary violence. The writers of the time, who have been pleased to trace the picture of Parisian society at this period, are unanimous in depicting it as seized with a feverish impatience to enjoy life, and shamelessly abandoning itself to this impulse. Never, perhaps, had debauchery been seen to display itself in open day with such boldness. Paris had, in the Palais Royal, a real bazaar of the vices. Amusement and prostitution drew thither a luxurious youth who had all the corruption of the ancient *régime*, without the elegance which imposes a certain reserve.* What is most serious, the family was tottering to its base, thanks to the unheard-of facility of divorce, and the almost complete identification

* See the "Nouveau Paris," by Mercier ; the "Mémoires" of the time, and the work of M. M. de Goncourt, on the Revolution.

of natural with legitimate children. They reckoned one divorce for eleven marriages, and bonds so easily broken were very little respected whilst they subsisted. A journal of the time gave the true explanation of this deplorable condition. "We are," we read in the "Eclair," "the only nation on the globe which has believed it possible to do without religion. How, therefore, do we find ourselves already? Each tenth-day they frighten us with the recital of more crimes and assassinations than were formerly committed in a year. At the risk of speaking a dead language, and receiving insults for answer, we declare that we must cease to destroy the traces of religion if we wish to prevent the dissolution of social order." The religious restoration found a great obstacle in the widely-spread prejudice that there was an incompatibility between Christianity and the new institutions. Unhappily, the intrigues of the emigrant clergy had contributed to strengthen this prejudice which, blind and unjust, like all passionate prepossessions, united in the same condemnation the liberal clergy and the royalist priests. That which the Revolution had most difficulty in pardoning to religion, was its own violence and iniquities with respect to it. It seemed to it that the sole means of justifying itself, was to push them to the last extremity by destroying the remembrance of the offence with the very existence of the offended. Despite all these difficulties, religion was to obtain great triumphs, as soon as the least liberty of action should be restored to it under the influence of an energetic reaction, which was very far, however, from being the return to justice and right.*

It is known that the Church of France was divided into two sections still much opposed to each other. Even after the abrogation, in fact, of this too famous Civil Constitution of the Clergy, which had given birth to the schism, the struggle between the jurors and nonjurors had not been interrupted for a single day;

the former had preserved the semi-presbyterian organism which had been for a moment the official religion of France ; the latter had redoubled their attachment to the Holy See. This animosity, of which we find traces even in the ecclesiastical historians of to-day, will not prevent us from fairly acknowledging the glorious part of the two clergies in the revival of faith in France. In the heat of their differences, they were not capable of appreciating and esteeming each other ; but the privilege of history is precisely to escape from these sad misunderstandings which divided noble hearts made to comprehend each other. The Constitutional priests were wrong in seeing in the refractory priests only royalist conspirators, and in closing the eyes to their pious courage ; as, on the other hand, the nonjuring priests were unjust and implacable in disowning the pure and sincere zeal with which the clergy, who had taken the oath, laboured in the midst of many difficulties and perils, for the re-establishment of worship in France. The persecution common to both during the Terror, ought to have reconciled them. It was not so ; their dissensions broke out even on the hulks on which they were enduring the same sufferings. It belongs to us to-day to re-unite them in our regard for their heroic devotedness to the service of religion. Let others dig up the tombs to search there for posthumous calumnies, and to resuscitate quarrels, the motives for which no longer exist. For us, at the distance that we are, we can only applaud those efforts, equally generous, although diverse, to restore to France the God whom she had appeared to renounce, and whom, nevertheless, she could not do without, for never will a great country finally resign itself to abjure religious ideas ; the delirium which has driven it to reject them is only the paroxysm of a violent fever, which would be death if it was not transitory. Besides, the very effort attempted to destroy religion tends to increase its power, for it purifies itself in the fire of persecution,

and finds again its ascendancy over souls in that which appeared destined completely to overthrow it.

The philosophy hostile to Christianity endeavoured to turn to its profit the awakening of the religious sentiment, but it shamefully miscarried in this attempt. It tried to found a rival worship, and it succeeded only in presenting a pitiable comedy, which quickly came to an end before empty benches. The complete check of the theophilanthropy proved with *éclat* the impotency of a belief without mysteries and without dogmas to become a religion. The worst mythologies of Asia Minor have succeeded in gathering around them entire peoples, because, despite their impure or bloody legends, they pretended to speak in the name of the Divinity, and had, in the times of ignorance, the prestige of a revelation from heaven ; they satisfied, doubtless in a deplorable manner and by perverting it, that need of a direct and supernatural communication with the Divinity which torments the human heart. Thence their success. But a religion which is only a cold system, a pure being of reason, is destined to remain in this icy region. Every attempt to warm it again miserably miscarries. Whilst the fervid apologists of the tenth-day (*decadi*) secretly resumed the work of Hébert and Chaumette, the theophilanthropists timidly endeavoured to resuscitate the worship of the Supreme Being, interrupted by the events of Thermidor ; the former proceeded from Diderot and Helvétius ; the second from Rousseau, and, above all, from Robespierre. It is known how many partisans Deism reckoned at this period in England, Germany, and France. But it is only in a country in revolution, where all traditions seem to have foundered in the tempest, that it could be attempted to replace Christianity by the religion of the *Contrat Social*.*

* See on the theophilanthropy, the curious chapter which Grégoire devotes to it in his " *Histoire des Sectes Religieuses*," I., p. 85.

The new religious establishment was preluded by some publications intended to prepare men's minds ; they cried up in them a worship freed from all superstition, consisting only in the adoration of God and the practice of virtue. It was at the end of the year 1796 that they passed from theory to practice. Amongst the five fathers of families who constituted themselves the founders of the new religion, was Haüy, the brother of the famous chemist, Director of the Blind Asylum. An ancient chapel, annexed to the establishment, was used for the first public services. They soon obtained from the Government, very well disposed towards the sect, permission to use the churches in common with the Catholic priests, on the ground that the Constitution did not permit the favouring one religion more than another, and that the temples, being public edifices, ought to belong equally to all opinions. The theophilanthropists thus obtained the use in common of twelve churches, among which was the cathedral. The difficult task for them, was not to obtain them, but to fill them. They accordingly strove to give to their religious service all the attractions of which it was susceptible. They graved on the walls maxims of natural morality, borrowed from all the philosophical or religious schools. An altar was raised in the centre of the edifice, on which they deposited at one time flowers, at another fruits, according to the season. These rural rites were intermingled with more imposing solemnities. They presented children to the Supreme Being. At a marriage, the couples were interlaced with garlands of flowers, the extremities of which were held by relatives and friends. At Bourges, they contrived to send forth from the altar, during the nuptial ceremony, two doves—a touching symbol of conjugal affection. At the obsequies of a member of society or of a member of his family, they suspended a flower over the funeral urn. But the essential part of the worship was the reading and discourse. The

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reader, or the orator, was to be a married person or a widower ; despite this guarantee of their maturity, their prose was not less submitted to previous censorship. They spoke or read homilies on toleration, filial piety, and probity in commerce. They were bound to be officially affected on the death of great citizens, and to pronounce their funeral orations. To give them an agreeable aspect, they were dressed in a white robe, tied by a rose-coloured belt. This flattering spectacle did not suffice to redeem the monotony of their dissertations ; they therefore intermingled with their discourses, songs on the harvests and on virtue. They had hired choristers, whose beautiful voices attracted the public. When money was wanting to pay them, the members of society devoted themselves and sang themselves, but their devotedness was ill recompensed, for the audience had come for the beautiful voices and not for the edification. The theophilanthropy lived only by the protection of power. La Reveillière-Lepaux was its most useful adherent, and gained to it a certain number, for the apostles who are in power are always certain of succeeding in their proselytism. If the Directory insisted with so much stubbornness on the rest of the tenth-day, it was partly to shackle the liberty of action of Catholicism to the advantage of the new religion. This last, nevertheless, after having transferred its worship to the prescribed day, had to return to the Sabbath, so great was the force of custom. The agents of the Government aided the sect with all their influence. The Minister of the Interior pushed zeal so far, that he caused to be gratuitously distributed in the departments the *Manual of the Theophilanthropists*. Supplies of money were also granted to them ; they had need of them, not only to pay the orators, but also to indemnify the auditors for the weariness of hearing them. They established themselves in the environs of Paris, then at Bourges, at Poitiers, and in Yonne, where they furnished to an intolerant administration the oppor-

tunity of persecuting the Catholics. But neither the favours of power, nor the distinguished persons attached to the sect, as Goupel de Prefeln, Julien de Toulouse, and Bernardin de Saint-Pierre, prevented this ridiculous religion from sinking down into emptiness and desertion. The decree of the Consuls, which on the 12th of Vendémiaire, year X. (October 3rd, 1802), closed the temples to the theophilanthropists, rendered them service by preventing their worship from dying of inanition. It was just, however, that a worship which had lived only by the protection of power, should fall by its disfavour. It answered neither to the ancient convictions nor to the new passions. This foolish pastoral was incapable of re-animating the religious pre-occupations in revolutionary France, even when one of its first magistrates had accepted the crook of the priests, with white robes and a red belt, a singular way of gaining the country of Voltaire and Beaumarchais. It was the ancient religion which the fervid demagogues imagined that they had killed, or for ever branded in souls, which was about victoriously to dispute their influence. By losing power and riches and enduring persecution, instead of inflicting it, it had raised and purified itself, and no longer presented an exposed flank to the terrible accusations which had so much shaken it in the days of its prosperity.

We have seen that the religious movement which declared itself at the end of the century, was inaugurated as much by the nonjuring clergy as by the clergy who had openly adopted the Revolution. The barbarity and multiplicity of the measures of proscription against the refractories sufficed to prove how great their influence had remained, not only in La Vendée, where they were the sole cause of the civil war, or in the South, where the majority of the populations belonged to them, but also in the large towns, and especially at Paris. They did not cease to celebrate mass in obscure nooks, often in a barn or granary.

Nothing was more calculated to re-kindle fervour than these difficulties and perils. A thousand ingenious means had been contrived to impart the last religious consolations to those condemned by the Terror. How many times did a simple sign, comprehended by the initiated alone, and furtively exchanged with a disguised priest, appearing suddenly at a window or on the passage of the fatal cart, bring to one of the appointed victims the benedictions of the Church ! We should be mistaken if we attributed only to political passions this attachment for the refractory clergy. It is certain that sincere adherents of the Revolution shared it. The unedited letters of Charlotte Corday, recently published by M. Casimir Périer, reveal with the young republican a lively repugnance for the priests who had taken the oath.* The Civil Constitution of the Clergy, decreed by a political Assembly, might, with good reason, excite scruples purely religious, especially during the short period in which it had all the inconveniences of a State religion. It is not, then, astonishing that, despite their lamentable connivances with the counter-revolution, the refractory clergy should have preserved an immense influence in the country. It was perceived as soon as the decree of the 3rd of Ventose had proclaimed liberty of worships. Doubtless, this decree did not revoke the laws passed against the nonjurors ; but by sanctioning the separation of Church and State, and by abrogating the Civil Constitution of the Clergy, it gave a great latitude to liberty of conscience. Restrictive interpretations came only too soon, as we have already stated ; the departmental administrations surpassed the legislative measures in the way of arbitrariness. Nevertheless, a certain liberty was left to the ancient clergy, especially in the important towns ; they openly re-established worship wherever they were not too much restrained and watched.

* See the "Revue des Deux Mondes," of the 15th of April, 1861.

They maintained their action strictly separated from that of the Constitutional clergy, and displayed against them an often bitter zeal. They instigated and received numerous retractations of juror priests, and did not cease to pursue the Constitutional Church by a polemical bitterness which was beyond all bounds.* "Our correspondence," we read in the religious journal, the organ of that section of the clergy, "is full of the most touching recitals of the zeal and eagerness of the faithful to re-open the temples, and to display there the most fervent piety."† The extraordinary eagerness which the faithful of all departments have shown to take advantage of the restored liberty, the holy joy which they have caused to break forth, esteeming that the external pomp which accompanies our sacrifices is much less to be regretted than the internal glory which constituted their true ornament, all shows how much religion was still living in the heart. The re-opened churches are very simple in their decoration. Their most beautiful lustre comes from the piety of those who fill them.‡ At Paris, the re-establishment of worship by the nonjurors did not then suffer any difficulty. The crowding to their churches, at the Easter festivals, 1796, was considerable. It appeared still to increase the following year at the same period. Two bishops, those of Saint-Papoul and Troyes, pontifically officiated at perfect liberty. Nearly thirty churches, and a considerable number of oratories, were given up to this lately-proscribed worship. It recovered, on the 29th of May, 1797, the church of Saint-Roch. "Men, women, children, poor and rich—everybody turned workman, and the temple rose from its ruins.§" The Bishop of Saint-Papoul ordained seventy priests to

* See, on what concerns the re-establishment of worship by the nonjurors, the "*Annales Religieuses et Littéraires*;" later, "*Annales de la Religion*," published by the Abbé Sicard.

† Vol. I., p. 378.

‡ Ibid., p. 186.

§ "*Annales Catholiques*," p. 154.

the order of the White Mantles. The refractory Church thus reconstituted itself in the midst of the Republic. In the departments, it obtained successes not less great, but it met also with a decided opposition, and which often had the effect of shackling it. At Versailles and Marseilles there were riots, and many priests were thrown into prison. At Limoges, the imprisoned priests were kept concealed, and subjected to every sort of ill-treatment, under the influence of a pretended literary society, which was only the assumed name of the ancient club of the Jacobins. Women were thrown into prison for having been present at mass. Eighty priests were imprisoned at Périgueux, and the bishop of the non-juring church of Auxerre was released, only thanks to the energy with which he invoked liberty of worships. The tribunal of Versailles acquitted the priests who appeared at its bar, surrounded with universal respect; their prison had been transformed into a temple by the concourse of the faithful. In the Moselle, a priest was taken away at the moment when he was celebrating the holy mysteries at the altar; but the people delivered him. At Bolbec, military measures were taken to prevent the midnight mass; but, in a neighbouring Commune, the detachment sent to interdict the worship, piously took part in it. At Montmédy, near Liège, the military commandant having forbidden the parish priest to carry the *viaticum* to a dying person, more than seven hundred people opposed themselves to this prohibition. Public opinion, abandoned to itself, declared more and more in favour of liberty of conscience, and the speeches of Camille Jordan, Royer-Collard, and Portalis, gave it a new impulse. The Directory and the Jacobin party bestirred themselves so much the more to shackle it. We read the following instruction, on the conduct to be maintained in regard to the nonjuring priests, in a circular from the Government to the National Commissioners, dated 21st of June, 1796: "Afflict their patience; surround them with your surveillance; let

it render them uneasy by day and disturb them by night." Nevertheless, without the *coup d'état* of the 18th of Fructidor, the adherents of the ancient Church of France would have quietly celebrated their worship in face of the Constitutional Churches, awaiting a pacification which liberty would have effected much more surely than the hasty and arbitrary measures of despotism. Already, in anticipation of this new situation, the Pope had produced his brief of the 15th of July, 1796, which recommended submission to the established powers;* and he appeared implicitly to approve of the declaration of submission to the laws which could no longer inspire a religious scruple, since the Civil Constitution of the Clergy was put out of question. The *coup d'état* of Fructidor came to overturn everything anew, and to let loose persecution against the refractory priests; but, despite the barbarous laws launched anew against them, and the too numerous transportations, they did not the less continue to celebrate their worship in secret. They reckoned their adherents by thousands, and profited by the intervals of quiet or weakness which marked the shameful *régime* to which France submitted only through weariness. If, instead of being re-organised by the *coup d'état* of Brumaire, she had seen a true liberty re-established in her midst, a flourishing Church might, as it were, have gone forth from the darkness, or, rather, from the semi-obscurity which protected it. From this side, then, were the altars restored; it was liberty, and not forced re-organisation, that was required. The numerous priests who had betaken themselves to the foreigner, and who lived on the generous alms of the Papacy or those of England,† would have, doubtless, brought with them more than one tenacious

* "Collection of the Briefs of Pius VI.," Vol. II., p. 579.

† See, on the organisation of these helps, the voluminous correspondence contained in the second volume of the "Recueil de Documents Inédits," published by the P. Theiner.

prejudice ; but nothing is more fatal to passionate exaggerations than toleration, and they would very soon have lost all credit, or else they would have reconciled themselves to New France, after some years of quiet. The resources for the maintenance of the nonjuring worship were never wanting, and if peace had brought a little prosperity, they would have been affluent, if so that, indeed, the Ancient Church would have flourished anew by the breath of liberty.

This breath could not be fatal to the New Church, to that which, whilst remaining faithful to Catholic orthodoxy, had openly associated itself with the Revolution, and was seeking to reconcile liberty and religion. It had, indeed, some wounds to heal ; for it had been saddened by numerous defections in the days of persecution. It had had the misfortune to reckon in its ranks many bad priests, because, for it, the favour of the civil power had lasted longer, but it had to pass through the severest trials, and the salutary discipline of proscription had delivered it from hypocrites. Soon after the decree on liberty of worships, the Constitutional Church made the most praiseworthy efforts to repair its breaches and to re-establish order in its midst. One man was specially active in this holy work ; it was Grégoire, the ancient representative of the Constituent and Convention, and Bishop of Blois. He has been much calumniated and taunted ; the most bitter hatreds have pursued him, even to his death-bed !* We acknowledge that he has often pushed the love of republican institutions to a degree of enthusiasm which was suitable neither to a moderate liberal nor, above all, to a priest. But, to be just, it is necessary to take into consideration the time and circumstances. The clergy of the opposite party were not less fervid and passionate in their

* To be convinced of it, we have only to read the article which the " *Biographie Universelle* " devotes to him.

language, and it was not with impunity that they breathed the fiery atmosphere of a country in revolution. Grégoire never lost an opportunity of demanding liberty of worships for his greatest adversaries. Devoid of the gifts of great eloquence, he often sought energy in a certain violence of expression, but he was always a champion of right and justice, whether he sustained the cause of the blacks, or that of the Jews, or demanded the release of the nonjuring priests. His noble attitude on the day of the abjurations should suffice to win for him universal respect. His indefatigable zeal to raise up and to re-organise the Constitutional Church does not merit less admiration. Aided by a few colleagues, among whom we must specially mention Lecoq, Bishop of Rennes, a wise and moderate spirit, gifted with a penetrating eloquence, Grégoire accomplished in a few years a truly important work. He displayed as much firmness as wisdom, and no one has done more in France to reconcile religion and liberty.

In his "Mémoires" and in his "Account rendered to the First Council of the Gallican Church," he has vividly depicted the deplorable state into which religion had fallen under the Terror. The sufferings endured were nothing compared with the shame of the apostacies. Most of the churches had lost their bishop by death or exile. Worship was as though fallen into disuse. Scarcely had the decree of the 3rd of Ventose been passed, than Grégoire convoked at Paris, on Sunday, the 15th of May, 1795, a few bishops, among whom was Desbois, Bishop of Amiens, who was only just come out of prison. With them, he published two encyclical letters, designed to obviate the gravest disorders, to set aside apostate or married priests from the ministry, and to provide for at least the provisional re-organisation of the Church. The first of these encyclicals opens by recalling the woful times just passed through, the atrocious persecution which has decimated the

Church, and the too numerous apostacies which have desolated it. "May those," say these pious bishops, "to whom God has given the grace to remain faithful in the midst of the terrors of death, rejoice that they have been worthy to suffer anything for Jesus Christ. Pastors of souls, especially we bishops, we are accountable to God, to the Church and to posterity, for our efforts to revive faith." Very far from regretting that religion has no longer a political standing in France, the bishops congratulate themselves thereon, and confess their religious faith and firm attachment to the institutions of the country. "The pastors," we read in this document, worthy of the first times of the Church, "will conduct themselves with zeal to make known Jesus Christ. They will exhort the faithful to make an assiduous study of the New Testament, and they will strive to render their ministry respectable by their conduct." The five bishops caused to be translated the beautiful treatise of "Saint Cyprian De Lapsis" (concerning backsliders); it seemed to have been written for the circumstances of the moment. Answers to the encyclicals came in great numbers; the bishops and priests who had remained faithful to their duties acted in concert to restore worship; according to the custom of the ancient Church, the presbyters, or councils of priests of each diocese, were re-constituted to direct the churches which had lost their pastor, and to prepare the election of new bishops. A journal was established under the name of "*Annales Religieuses*," to serve as a rallying-point, and to maintain frequent communications between the different churches. Grégoire had also the happy idea of establishing a society of Christian philosophy, designed to spread good writings devoted to the defence of Christianity.* Worship was re-established on all sides as of

* "*Mémoires de Grégoire*," II., pp. 55—60; volume I., of the "*Annales Religieuses*;" Account rendered by Grégoire to the first Council of Paris.

itself, despite the annoyances and ill-will of the departmental authorities. The revival of faith was not less marked in the Constitutional, than in the nonjuring Church.* In most of the towns, the people repaired to the religious services with extraordinary ardour. The temples could not hold the persons present; these last would have wished indefinitely to prolong their acts of adoration. Tears flowed from many eyes. At Sens, labours were suspended, and the faithful were seen in the church of Saint-Pierre prostrating themselves on their face to the earth to atone for their past wanderings. Scenes might have been witnessed as pathetic as those which took place at Jerusalem when the Jews, returned from exile, could again adore in their own country the God of their fathers. The charges of the bishops favoured and directed this fine movement. “Not having any longer political standing,” wrote Grégoire to his colleagues in the ministry, “you will no longer be tempted to lean on an arm of flesh. God alone will be your support. The splendour of the precious metals will no longer shine in our temples. Credulous simplicity will no longer identify true piety with that which was often its poison. Let religion rise again amongst us; let it rise again pure as it went forth from the hands of Jesus Christ. We are again placed, so to speak, at the origin of the Church.” “We declare,” wrote the Bishop of Rennes, “that, subjects of the kingdom which is not of this world, we do not contend for temporal interests. Christianity does not meddle with government; it obstructs none, and lives peacefully under all.” One of the features of the Constitutional Church was precisely to keep itself outside of politics, whilst it was animated with a truly patriotic spirit. It spontaneously celebrated, by public prayers, the great victories of the armies of the Republic. At the time of the re-establishment of peace after Marengo, more than

* See also on this point the first volume of “*Annales Religieuses*.”

thirty thousand persons were present at the *Te Deum* which was chanted at Notre Dame.* This church also distinguished itself by a great moral strictness; it yielded nothing to the prejudices of the time. Whilst professing respect for civil marriage, it prohibited its ministers from blessing any union contracted in opposition to the laws of the Church. Never did it acknowledge divorce in the religious point of view. It showed itself equally opposed to the marriage of the priests. Its firm attachment to the great doctrines of Christianity could not be called in question.

It was, doubtless, very free from all Ultramontane proclivities; it would have viewed, without displeasure, the final overthrow of the temporal power of the Papacy, as we may be convinced by these reflections of the "*Annales Religieuses*," after the events of 1798: "The destinies of Christianity have been long obscured by all the passions which beset courts. Christianity is henceforth going to shine in its own glory, and since the popes are, happily, about to be no more than bishops, the ministers of religion are more than ever assured of irrevocably attaching the people to it."† Although pushing the Gallican principles to their last consequences, except in what concerns servile submission to the civil authority, the Constitutional Church has not broken, for a single day, with the centre of Catholic unity; it has not ceased to supplicate the Holy Father to restore peace to religion, to France, and not to repel the proposals for pacification. Not that this Church was not under the influence of a breath of reform; it aspired to develop in its midst a true piety, which should hold less to forms than to the essence of religion, less to symbols than to realities. Grégoire strove hard to combat the superstitious pilgrimages, as is testified by the report which he presented to the

* "*Annales de la Religion*," XI., p. 168.

† *Ibid.*

bishops assembled at Paris on the visitation of his diocese. "What is commendable," said he, "is not to have been at Jerusalem, but to have lived well at Jerusalem." He equally sought to free the veneration of relics from the exaggerations which were mingled with it. "When I found individuals who, assiduous in the Divine offices, were neglecting the duties of charity, purity, and humility, I used to say to them, 'We cannot bend the holy rules of the Church to the caprices of men, we do not wish to retain Christians who are such only in name.'" It was natural that, under the dominion of such convictions, they should strive to render participation in the first communion less delusive. It was decided to surround it with more serious securities, by causing it to be preceded by solid instructions. Grégoire wished that the fathers of families should every day pronounce prayers in French in their houses. He sought also to multiply every means of instruction, and particularly, libraries. In this way a beneficial reaction set in against formalism, that great plague of modern Christianity. The bishops did not spare themselves in this pious task; they regularly went through their dioceses, and preached in all the churches. The Bishop of Blois had preached fifty times, and confirmed forty-five thousand persons in the visitation of his diocese. These were labours truly apostolic. They were amply recompensed, for an unexceptionable document, which was no other than a statement to the Minister of Finances, informs us that, after three years, worship was re-established in forty thousand communes.* It had not, it is true, its ancient splendour. The ministers often lived very meanly. More than one endured severe privations, such as the old priest who was one day found in his garret mending his black stockings with white thread. The Republic, according to the just expression of Grégoire, had made bankrupt the

* "Annales de la Religion," V., p. 97.

ecclesiastics to whom it had promised pensions, and the voluntary gifts for the service of the altars were far from being sufficient. "The disasters and evils which overwhelm your pastors," wrote Grégoire in a charge, "force us to say to you as the Apostle to the Galatians: 'Let him that is taught in the word communicate unto him that teacheth in all good things.' Besides, whatever be the effects of your gratitude in respect to these venerable pastors who have lost all, suffered all for Jesus Christ, like us, they will continue to hold to you the language which Paul, Silvanus, and Timothy addressed to the Thessalonians: "So being affectionately desirous of you, we were willing to have imparted unto you not the Gospel of God only, but also our own souls, because ye were dear unto us." The Constitutional Church had forbidden itself the resource of perquisites. It formally proscribed all fee and gratuity for prayers or benedictions, and particularly for the celebration of mass. It confided in the enlightened piety of the faithful. "Its expectation was not deceived; for, after extremely difficult beginnings, and without ever having obtained wealth, it ended by supporting itself, thanks to voluntary gifts." This ministry, poor and laborious, filled with joy those who were invested with it. An old priest, almost seventy years of age, declared that he had, as it were, found a second youth in this mission of devotedness and entire abnegation.*

To the difficulties of poverty came to be added the evil dispositions of the local authorities, too often excited by the superior authority. Irrespective of the decrees which emanated from the Government, the systematic malevolence of which we have set forth, we can cite a great number of odious resolutions which emanated from the subaltern administrations. At one time they oppose the celebration of worship in the Church, under pretext of

* "Annales de la Religion," III., p. 189.

the approaching sale of the national edifice ; at another, they take possession of the parsonage-house, and refuse to restore it to the priest who has a right to it, or else they do not consent to deliver to him his letters of priesthood. Their language is often insulting towards religion ; the administrators of a little district of the Corrèze, describe the priests as malevolent citizens who lead back the people to old and absurd ceremonies.* These little tyrants of the provinces are adepts in the art of refusing, in practice, a liberty which, in theory, they acknowledge, "Religious opinion," say they with compunction, "is a sacred property." But they do not fail to add that there is another property more sacred still, viz., that which belongs to the legislator to determine for the advantage of all, the suitable mode for the manifestation of religious convictions.† It is in conformity with this fine principle, that at Troyes, the Municipal authority forbid the Catholics to open the window of the barn where they celebrate their worship, in order not to disturb the public repose.

The department of the Mont-Terrible‡ had passed on the 2nd of Frimaire year II. (November 22nd, 1794), the following resolution : "Considering that nothing is more impolitic and anti-social than the toleration of any worship whatsoever, resolves that all internal and external signs of worship shall disappear."§ Since Thermidor, such a cynicism was no longer possible, but the intolerance was not less great in a multitude of communes. The meeting of the Catholics for the election of priests, appears to

* "Annales de la Religion," I., p. 267.

† Ibid.

‡ Mont-Terrible—a French department formed under the Republic, of the principalities of Montbéliard and Porentruy. It has since been divided between the canton of Berne and the department of Doubs.—Bescherelle (Diction. Nation).

§ Ibid., III., p. 345.

have greatly disturbed the enemies of religion. In the department of Eure, the elections were prohibited by the following preamble: "Awaiting until the administration shall repress all enterprises tending to establish an exclusive and dominant worship, and prevent meetings the result of which would be to resuscitate a pretended hierarchy and pretended powers not acknowledged by the laws."* In Eure-et-Loire, funeral ceremonies are opposed, under the pretext that the exposure of dead bodies on the public road is an unequivocal sign of a religious worship.† The law of the tenth-day raised the gravest difficulties for the Catholics in the departments. They were obliged to display great firmness to maintain their right. Let us cite the noble answer of a priest of the department of Yonne to the summons of the local authorities: "I cannot, I ought not," said he, "subscribe to the invitation which is made to me to transfer the Sabbath to the tenth-day. As a minister of the Catholic religion, I claim the free exercise of it guaranteed to us by the Constitution of the year III. As a citizen, I demand from the magistrates of the people to be maintained in the entire and peaceable possession of my right." The obligation to share the temples with the theophilanthropists was also a painful condition imposed on the Catholics. The law of the 19th of Fructidor, year V. (September 5th, 1797), pronounced transportation against every priest who should disturb the public tranquillity. It reached as well the Constitutional clergy as the nonjurors, and the departmental administrations, stimulated by a detestable circular of the Minister of Police of the 17th of Brumaire, year VI. (November 7th, 1798), applied it with rigour; several priests who had taken the oath were transported. The obligation of the

* "Annales de la Religion," III., p. 345.

† Ibid., p. 426.

political oath was sometimes extended even to the choristers, under pretence of their being officiating priests. Popular passions also were often let loose without measure ; assassinations of priests were very frequent at this period. It is necessary to take all these difficulties into account in order to appreciate at its just value the progress made by religion in these troubled years, in the midst of so many hindrances of every kind. What advantage might it not have drawn from its separation from the State, if it had possessed the common right in a country truly free? Even persecuted and impoverished, it every day extended its conquests, and brought back opinion to it. I do not know a more striking demonstration of moral force, than is furnished by its independence even in conditions the most unfavourable.

It is often imagined that order in the Church is incompatible with this independence, and that when it ceases to form part of the administration, it has no longer a fixed organisation. The two National Councils, convoked at Paris in 1797 and 1801, furnish a sufficient answer to these fears. There has not been held a more respectable Assembly in Christendom. Opulent prelates are not seen seated there ; it was at the price of the most painful sacrifices that those present at them had made the journey : the Council had not even money sufficient to invite some foreign bishops, but those who took part in them had borne the burden of the day and passed through severe persecutions. They had maintained the Christian faith in difficult times, a butt to ill-treatment and calumny, and several among them bore still the marks of imprisonment. They were exposed to the contempt of the adherents of the ancient *régime*, and to the outrages of the fanatics of the new ; reviled by some for their liberal patriotism, they were deserted by others for their invincible attachment to the faith of their fathers. "Behold," wrote Grégoire, "these refractory ecclesiastics come forth from the prisons without bread,

without asylum, and, as the Divine founder of Christianity, not having where to lay their head ; almost all bent down under the weight of infirmities, struggling against threatenings and outrages ; behold these virtuous ecclesiastics who have preserved religion and worship !” * “What a sublime spectacle,” says he elsewhere, “did those fifty Christian bishops present to the universe, the greater part of them afflicted with the infirmities of old age, outraged by the Court of Rome, and still faithful to the Holy See, persecuted, and preaching submission to the laws. Amongst them all, they have not perhaps the revenue of a single bishop of the ancient *régime*.” †

We have not to relate the history of these two Councils, ‡ let it suffice us to recall their results. The first was convoked in 1797, by the bishops assembled at Paris, and preceded by regular elections made in the provincial synods. It was opened at Notre Dame, on the 15th of August, 1797, by a sermon from Lecoz ; the pious bishop eloquently expressed his joy at seeing religion, lately proscribed, go forth from its tomb like Christ. “Which of us,” said he, “would have ventured, I do not say to assume, but to express as probable, that in a little time we should see assembled in this holy place, these venerable pontiffs, these virtuous pastors, all these intrepid priests, who but lately, the sad sport of a violent tempest, a butt to the most horrible proscription, were wandering from cavern to cavern, or groaning in those dark and infectious prisons, weeping not over their captivity, nor over the weight of their chains, but over the heart-breaking cessation of

* “Mémoires de Grégoire,” II., p. 70.

† Report of Grégoire on the visitation in his diocese (“Annales de la Religion,” IV., p. 169).

‡ See the very curious collection, entitled : “Collection des pièces imprimées par Ordre du Concile National.” Paris, 1797. See also the “Annales de la Religion.”

worship." The orator then depicted the establishment of religion in France. "Such are the facts, not less authentic than prodigious, which, for two years, are multiplied over the whole surface of the Republic. More than forty thousand parishes have in that time renewed, with a holy avidity, the exercise of the worship of their fathers. How can we here recount to you the affecting scenes of which we have been witnesses in our respective dioceses! You would see simple men who cultivate the fields, leap for gladness at the sole name of Jesus Christ. You would see the apparition only of a crucifix cause their so long-saddened countenances to radiate with joy. How many pious tears have watered the pavements of these half-ruined temples! What cries of delight! What songs of gratitude have all at once shaken these vaults!" The discourse ended by a touching appeal to concord addressed to the refractory clergy.

The first act of the Council was to make a solemn profession of the Catholic faith, then to write to the Pope to entreat him to hasten the work of pacification in the Church of France. A letter was, at the same time, sent to the nonjurors to beg of them, with not less solicitation, to lend themselves to a union so desirable for religion. The Council gave proof of the large-heartedness which animated it, in the decree of pacification which it passed. Without renouncing the essential principles of the Church which it represented, it declared that all the pastors and priests who had remained faithful to their vocation, were called, without distinction, to the exercise of the ministry, whatever might have been their opinion on the questions which had divided the Church of France. The decree contained the following clause, which pushed concessions as far as it was possible: "If there is only a single bishop for one and the same diocese, or a single priest for one and the same parish, he shall be acknowledged by

all. If a church has two bishops, the one appointed and ordained before 1791, the other chosen and ordained since that period, *the more ancient* shall be acknowledged ; the other shall succeed him with full right ; this arrangement applies also to the parish priests." Thus the Constitutional clergy showed their readiness to sacrifice themselves to pacification, for this clause rejected from the sees and cures the majority of its members. The Council was occupied with regulating the nomination to the vacant sees and the order of the religious services, in which it wished to introduce the vulgar tongue for the prayers of the sermon. It passed a decree, imbued with the strictest morality, on the reform of the manners of the faithful and ecclesiastics ; the love of country and obedience to the laws were strongly recommended. It passed also a special decree on the instruction and education of children, and urged the founding of numerous Christian schools. In fine, an express request was made to the Holy Father to convoke an Ecumenical Council which should decide the grave questions that were pending.

The second Council, which was opened on the 29th of June, 1801, before an immense crowd, was intended to finish the re-organisation of the Church of France, and to pursue the work of pacification ; but it was hardly formed when it was obliged to dissolve itself on the injunction of the First Consul, who had just signed the Concordat. The Minister of Police, charged with transmitting the orders of the Dictator, wrote to the Council that its first sittings had made a profound impression on the Government ; but that, nevertheless, the latter asked it to separate in a friendly manner. This was to gild the pill of arbitrary power. The time had come in which every free word was to be stifled in the Church and in the State. The Council had decided, before its separation, that public conferences should be proposed to the refractory clergy peacefully to debate the points of difference.

These Conferences were inaugurated with great pomp at Notre Dame; there were wanting only the opponents, and the combat could not commence for want of combatants. We shall see, in a succeeding chapter, by what transaction the pacification, vainly sought until then, was not realised, but imposed. Let us state only that, on the eve of the Concordat, the Constitutional Church was in full prosperity, and that it owed its increasing influence to its independence. The venerable President of the First Council boldly acknowledged it in the encyclical letter by which he convoked the Second. "Some amongst you," we there read, "are specially alarmed that our churches are despoiled of their property. In this also adore the Divine Providence. You know that, for a long time, impious men have dared to say that the religion of Jesus Christ was sustained and preserved only by the great wealth which its ministers enjoyed. For a long time also, the Church herself has groaned to see enter into her sanctuary men who appeared to be led thither only by the sight of her riches. The Lord has wished, by the same stroke, both to confound the calumnious blasphemies of the unbelieving, and to put an end to the scandalous cupidity of her ministers. The religion which He founded without the help of riches, He wishes also to maintain without this help, unworthy of Him. When Jesus Christ called his twelve Apostles, to what did he call them? Was it to the enjoyment of property, of honours? No, but to labour, pain, suffering. And for a recompense of their labour, what does he promise them? Crosses. If, then, we ministers of Jesus Christ, if we find ourselves brought near to this Apostolic state, ought we to murmur at it? Ah! rather let us rejoice at this precious despoiling, and let us bless the Lord who, by an admirable stroke of his benevolent wisdom, has resuscitated that ancient state of things which the most pious of his children did not cease to regret. He has re-established the evangelical poverty of his

ministers. Let us not doubt that, by the side of it, he will cause the generosity of the faithful to rise again. If they neglected their duties, we should not be less zealous to preach the Gospel ; we should not be less ardent to cry to ourselves : ‘ This Christ, whom impiety thinks to-day to insult with impunity, is the same against whom the kings of the earth, the Gentiles and the synagogue were leagued, but in vain. It will be so in all ages.’ ” Who could not recognise in this noble language an echo of those primitive times when moral power was measured by the political impotence and poverty of the Apostles of Jesus Christ ?

The Protestant Churches participated in the different fluctuations of the liberty of worship. After having obtained from the Constituent Assembly all possible reparations for the great outrage of which they had been the victims, they celebrated their worship under the open sky, so long as the right of conscience was respected. They very naturally escaped the violent struggles raised by the Civil Constitution of the Clergy. Protestantism was not supposed to be favourable to the *régime* which had proscribed it ; and the Revolution had no prejudices against its ministers. Nevertheless, if we except some great towns of the South, such as Nîmes and Montauban, where a portion of the working population, of Protestant origin, was incessantly excited by the violences of the Catholic fanatics, the Reformed belonged in moderate measure to the liberal body of citizens, to that energetic party of the Third which had wished to found in France, not the reign of demagogism, but liberty, without always comprehending its true conditions. Barnave had represented and served this party with glory in the Constituent. Rabaut Saint-Etienne had there played a part equally honourable though less brilliant. At the Convention, the young minister Lasource had figured in the first ranks of the Girondist party, and had perished on the scaffold with Rabaut. Protestantism paid largely its

tribute to the Terror, as well in Alsace as in Gard. It was saddened by some shameful defections. There is no aggregation of men at all important, which does not contain in its midst a violent or cowardly portion who dissimulate in peaceful days, but reveal themselves in the great crises of history. It is not, then, astonishing that Protestantism has had also to deplore, like Catholicism, culpable abjurations. It also had felt the breath of the philosophy of the eighteenth century pass over it ; it had not preserved the fervour which so persevering a heroism had inspired. The pale and cold Deism, which had invaded Germany and England, was beginning to seize it. Finding, moreover, sympathy and support only in the camp of the philosophers, it had been disposed to yield to their influence. Doubtless the ancient beliefs still subsisted, but they were shaken. Revolutionary passions had replaced, in more than one heart, the pure and ardent faith which no proscription had been able to conquer. Matthieu Dumas relates, in his "Mémoires," that, in the mission of pacification with which he was charged in 1790, at the time of the disturbances of Toulouse and Montauban, he encountered more than one excited Protestant who augmented the difficulties of his task. He cites particularly a minister of Toulouse, the too-famous Jean-Bon Saint André,* afterwards a Conventional fanatic, who answered to his prudent counsels : *Behold! for more than a hundred years we have awaited vengeance.* Such a man had already, in fact, denied the religion which commands the pardon of enemies. It was one of his colleagues, Julien de Toulouse, who took upon himself to sustain Gobel in the infamous sitting of the apostacies. This example was not without imitators. The Protestant Church of Paris had boldly associated itself with the political renovation of the country. The Legislative Assembly were present at a

* "Mémoires de Matthieu Dumas," I., p. 476.

solemn service of thanksgivings, celebrated in his temple, by the pastor Marron. Unhappily, this Church sank at the time of the Saturnalia of Hébert and Chaumette; the cups of the Holy Supper, as well as the baptismal vases, were carried to the Mint in the name of the Consistory. Thank heaven! these defections were neither lasting nor numerous. The majority of the Protestant clergy remained faithful to the Gospel, and simple peasants showed a courageous attachment to their faith. Rabaut Junior gives a touching proof of it. An old husbandman had been put in prison in the department of Gard, for having suspended his labour on the Sabbath. A week after, he presents himself to the Committee, in holiday attire, and asks to be again conducted to prison, because, he says, he cannot work on that day, and that he should rob him who employed him.* During the confused and agitated period which elapsed from the commencement of the Directory to the 18th of Brumaire, the Protestant Churches tend to reconstitute themselves. They, doubtless, participate in the misfortune of the times, they are for the most part in poverty, but an energetic revival of faith would have promptly raised them. Liberty was in their tradition; if they had preserved it, they would soon have resumed their general synods. It was certainly not the Concordat which recalled them to life, for it only caused them to be enclosed in a narrow framework. Protestantism was standing and living, as well as Catholicism, when Napoleon deigned to occupy himself with religion in order to enchain it.

It seems to us that the facts exhibited in this chapter sufficiently refute the oft-repeated assertion that the First Consul restored the altars. The bishops of the Gallican Church assembled at Paris in 1799, seem to have foreseen this historical falsehood,

* De Félice, "Histoire des Protestants," p. 566.

invented by courtiers and maintained by tenacious prejudices, when they wrote these energetic words in their encyclical letter : "There is no longer religion ! Efface this blasphemy !" It is, in fact, a blasphemy to make religion depend on politics, and to attribute its revival to a happy calculation of the rising despotism.

BOOK IV.

THE CONCORDAT.

Chapter i.

Preparation for the Concordat.

ALL that which by its grandeur transcends the average measure of men and things, grows greater still, and is transfigured in the imagination of the people ; in the face of such events, legend is almost contemporaneous with history. Thus was it with this marvellous period, which sees suddenly arise out of the revolutionary tempest, a *régime* of power and order, illuminated at its dawn by the most brilliant rays of the military glory so dear to our race. Nothing is wanting up to the final catastrophe, so imposing in an artistic point of view, which could lend an ideal character to this incomparable reign, uniting all successes and all reverses, and which resembles a classical tragedy in the style of Corneille. In admiring what was great in it, one is apt to pardon what was baleful, under the pretext that the chastisement has closely followed the faults, and that what has been so ephemeral does not deserve a severe judgment. This is to forget that the spirit of a reign may survive it, that nothing is more fatal to a people than a false ideal, and that it is blind admirations which corrupt the moral sense and demoralise history. The memory of Napoleon

has too long fluctuated between adoration and hatred; this was the proof of its being still worshipped, for it is idolaters who make fanatics in a contrary direction. The moment has arrived for a just appreciation; it is not necessary to wait for misfortunes to denounce faults, but to point out from the first appearance, in the very *éclat* of the triumphs of an incomparable genius, the shadow which will end by obscuring all, I mean that insolent contempt of every superior principle, of every right, of every liberty. The partial manifestations of despotism, however odious they may sometimes be, have infinitely less importance than that which constitutes its essence and soul, that which is its inspiring genius. Now, nowhere has this genius appeared more complete, more resolute, than in the person of the young general who made the *coup d'état* of Brumaire. This will clearly come out in the outline which we shall trace of his policy in religious affairs.

The period of the Consulate is ordinarily set apart as marked by a high character of wisdom, patriotism, and restorative power; the benefit of these eulogies is given to all those acts which go back to that date, and, in the first place, to the Concordat. We dispute as well the general appreciation as the particular approval. It is not correct that the Consulate has been truly a restorer; it prepared for all that followed; and if arbitrary power is not yet fully constituted, it is because the despot waits until the fruit be ripe for gathering, but he waits for it, as a skilful husbandman, who neglects no care to arrive at this desired end. If by a restorative government, be understood a government which, replacing anarchy, causes the curb of the laws to be felt anew, represses by a prompt and well-organised police the most flagrant disorders, renders security to private persons, re-establishes equilibrium in the finances, either by putting an end to extravagances, or by regulating the services, and, in fine, gives to the country, with internal tranquillity, peace founded on the most legitimate

satisfactions, and adorned with the glory of Marengo, we are ready to accord this eulogy to the Consulate. We very well comprehend that France, wearied and humiliated under the *régime* of the Directory, felt these benefits with an ardour of gratitude which made her forget their price, and that the oft-disappointed longing for order, and for those social guarantees which we cannot do without, rendered her very eager to accept a despotism which was complete from the first day. In fact, the word republic was no more than a meaningless etiquette, almost an epitaph, and one of those deceitful disguises of which Augustus had made so skilful a use. To escape from revolutionary agitation, such was the passion of the moment. The new power exactly answered to it, although in a very superficial and precarious manner. It is at this point that it was not truly restorative, for military despotism substituted for anarchy, is still revolution in its bad and dangerous tendency, with its impulses and its passions, the more fatal the more easily they can be satisfied without meeting with any legal resistance. It is anarchy from above substituted for anarchy from below, it is the principle of disorder in the chief mover, whilst the order which reigns in the inferior movers of the administrative machine, permits the errors or faults committed by the chief of the State to be accomplished with a fearful rapidity and a perfection of execution which render them at the first stroke irreparable. Arbitrariness in the directing power, and regularity in the instruments placed under its hands, I know no combination more perilous. Now this combination is the whole of the Constitution of the year VIII., and it is the entire policy of the Consulate before becoming that of the Empire. The results of the reign of Napoleon are sufficient to convince us that there is no restorer except liberty, that is to say, the *régime* of law seriously accepted under the control of the country honestly consulted. I call restorative the Government of a William III. or the presidency of a Washington, because

these great, good men have established society on respect for right, and have given to it for safeguard a well-regulated liberty, that is to say, a liberty which regulates itself; but I call, on the contrary, anarchical and destructive, every arbitrary *régime*, whether it be democratic or aristocratic, republican or monarchical, and I find it so much the more dangerous, the more skilfully it has organised the country of which it disposes at its pleasure. The facts have been in keeping with the principles, and have supplied their unexceptionable and overwhelming testimony to this slighted ideology, which has been only too well justified in the midst of France, diminished, exhausted, and demoralised, even to the point of treating with the foreigner on her profaned soil; a cruel and bloody lesson for all those who separate order and peace from liberty, and who imagine that great feats of arms suffice to raise nations! Without doubt, the Napoleonic *régime* accepted and sanctioned some of the conquests of the Revolution; it steadfastly required the law for all, the eligibility of all citizens for employments, the abolition of religious privileges, equality, in fine, to the point where it is inseparable from liberty, for *that* it never would have under any title. It is, therefore, a mockery to set up this *régime* at any cost, as the representative of the principles of 1789. Besides, it has explained itself on this subject with a clearness which leaves nothing to be desired. At the time of the voting of the Consulate for life, La Fayette and La Tour-Maubourg connected with their adhesion the condition that the liberty of the press should be re-established. "Judge now," said General Bonaparte to one of his familiars, "what may be hoped from these men who are always riding their metaphysics of 89 Liberty of the press!!!"* We see here the

* "Mémoires sur le Consulat," published in 1829 by Thibaudeau, p. 269.

ironical smile. Let them talk to us, then, no more of the consecration of these great principles in the Constitution of the year VIII.

This Constitution, we have said, is the master-piece of the political school which puts arbitrary power at the head, and learned organisation in the social body, substituting for the Parliament that controls, the administration that executes, and gives to the will of the sovereign, in place of a counterpoise which balances it, the most marvellous mechanism for realising its decisions without delay. A head and robust and obedient arms, a unique will and supple instruments, behold the entire system ! I think it is called the representative system in opposition to the parliamentary system. Cambacérès, the imperial jurist formed in the Convention, very well defined it when he said : "The present Government is the representative of the people."* For this school, the true national representation, is not in the assemblies, but rather in the executive power, which is the permanent delegate of the people for doing its own will in their name. What is a handful of lawyers and metaphysicians, compared with that illustrious deputy who, with one hand holds the sword, and with the other draws from the public treasury in order to dispense favours ? The Constitution of the year VIII. had taken care to prevent every injurious parallel between the two delegations. With the exception of a detail which was not without importance, it was the work of Sieyès. He had had ample leisure for maturing his plan on the bench where, under the Terror, he had sat silent in the presence of all violences and all crimes ; which was to estimate very highly the services which the revolutionary metaphysics might render in the future. It proved, in the issue, that he had laboured for the military dictatorship, for the part of the great

* "Mémoires sur le Consulat," p. 223.

elector, who had no power except representation and wealth, and whom the Senate could always absorb into its bosom, alone suited a man like him. A tritely witty word of General Bonaparte sufficed to set aside this fine invention; but he welcomed with eagerness the idea of substituting for direct elections, lists of notables, communal, departmental and national, reducing themselves from grade to grade, and being subject only to a triennial revision. The frame-work of the choice was sufficiently large for the executive power to be able to create chambers in its own image and likeness, without ever being cramped by the popular will artfully confiscated. It was to place an untruth of election at the base of the entire governmental edifice. Nothing was more convenient than the redistribution of the Legislative power between a conservative and endowed senate, a mute legislative body, and a powerless tribunate; for if this last body had the right to speak, it did not really vote, since it was limited to nominating two of its members who were to discuss on opposite sides the Bills before the Legislative body.

In one of his whims, always original, the First Consul said to an intimate friend, that all the evil in France came from the tribune. He had found the surest means of discrediting it; for nothing is more fatal to parliamentary eloquence than to be reduced to empty talking without political conclusion. Those who complain the most of babblers are they who have multiplied them; for babbling exists only where speech does not result in action. There remained only one real orator; it was he who with the word had the power—and more than once did he regret having had to speak alone, without the control and reply of a free tribune. The Council of State, despite its intelligence, and the services which it has often rendered, was not a substitute for it; for we know all the uselessness of councils when they are engaged in a struggle with an imperious and all-powerful will. It is not

good advice, but effective restraints that power has need of in its own interests.

We see that the Constitution of the year VIII. had delivered France to one man, without opposing to him any barrier; everything emanated from him and returned to him; and it would have been much better not to have placed between the country and him this vain phantom of national representation, which served only to give an appearance of legality to his caprices. The Revolution gave to him a levelled country, where he no longer encountered those great corporations which, despite their inconveniences, always moderate despotism to some degree. The most admired part of the Constitution of the year VIII., that which organises the French administration, was also the most effectual for the enslavement of the nation. The executive power, by its prefects, its sub-prefects, and its mayors, was present over the entire surface of the country; the skilful regulation which made all the resources converge from the circumference to the centre, and which, in return, carried from the centre to the circumference the sovereign decisions of the power, established the most perfect order in servitude. The motion was given in an instant, by a single hand, to this vast organism, become so supple whilst remaining so strong. The skilful organisation of the finances, which would have been beneficial if it had been placed under the control of a free people, measuring its expenses with its resources and true interests, became an evil, by permitting an irresponsible master to dare everything. The magistracy formed a wisely-ordered hierarchy—a hierarchy which rose from justices of the peace to tribunals of inferior jurisdiction and courts of appeal, in order to crown itself by the fine institution of the Court of Cassation. It possessed a certain independence, thanks to its being unremovable, but it had no means of contending against absolutism, even on its own ground; for resistance to arbitrary

power it was not equal to the ancient *parlements*. In the issue, France possessed the most perfect mechanism of despotism which had yet existed in this centralisation without counterpoise, which has continued the most formidable obstacle to the return of liberty. A counsellor of State of the First Consul justly said to him at the dawn of the new *régime*:—"The centralisation of power leads you much more to the ancient *régime* than a wisely-ordered representative system."* The Civil Code is one of the purest glories of this period ; but this skilful code-making, which carried light into a legislation confused enough, would have lost nothing by offering more solid guarantees to individual liberty. Doubtless, the Civil Code is very superior to the Constitution of the year VIII., because it bears on that order of relations for which the conquests of the Revolution have been respected, but it does not the less participate in a large degree in the original vice of the *régime*. Nor shall we allow ourselves to say that it is the full extent of justice, especially if we do not separate it from the code of criminal instruction, which is its natural complement, and which has furnished so many useful resources to despotism.

From the time of the Consulate, apart from some truly restorative measures, such as the abolition of the law concerning hostages, and the release of the incarcerated priests, it might be foreseen what would be the issue of the intoxication of absolute power on the part of an ambitious genius who sacrificed everything to his encroaching personality. After the illegal attempt of the 3rd of Nivose, he declared, in full Council of State, that he would put himself above the law in order to inflict a great blow on the Jacobin party, who were, he knew, foreign to the conspiracy, under pretext that Chouanism and Emigration were only skin diseases, whilst Terrorism was an internal malady, to which it was

* "Mémoires sur le Consulat," p. 394.

necessary to apply strong remedies. To those who opposed to these iniquitous measures the most elementary rules of justice, he rudely answered : "Metaphysicians are a kind of men to whom we owe all our evils. It is necessary to consider this business as a statesman." This is what he dared to say in that very hall where they were preparing the legislation of the country. Thus was transmitted, like a precious trust, all through the Revolution, that specious State reason, which is only the reason of the strongest wishing to act according to his fancy. This internal malady, which the First Consul desired to extirpate, had had no graver symptom than the violation of eternal right to the gratification of the passion of the moment, and it had not had many manifestations more criminal than the abduction, by force of arms, and the murder of the Prince of Condé, coolly accomplished, afterwards still more coolly discussed and justified, as an excellent calculation for frightening the enemies of the new power.* It was very fortunate that Bonaparte was not cruel by nature, for the country had no security except his temperament. That is the reason why every peace signed by him was precarious. He resigned himself momentarily to it, as he said one day, when declaring that it was prejudicial to a new power, but it was not possible that he should long abide by it. He was the genius of war, and he had at his service the gold and blood of France. How could such a temptation be resisted by a Napoleon, who has before him only flattering counsellors and political bodies, docile so long as they are fed. One of them, certainly one of the best and most distinguished, ingeniously demonstrated that the Government is the most important power in the State, because if it ceased, everything would perish, whilst no one would perish for want of law. He concluded therefrom that the Government ought to have in itself

* "Mémoires sur le Consulat," pp. 46 and 393.

a means of preserving itself from inaction, and that it is not necessary to be so much disquieted about arbitrary power, which is only a transitory evil. The courageous counsellor echoed this speech of the master: "There must be no opposition."*

It is certain that from his entering the Tuileries, the First Consul had only one thought, to consolidate and perpetuate his absolute authority. We can follow in the "Mémoires" of the time, the incidents of this great political comedy, with which they jested playfully in those free conversations which have so often appeared to France a sufficient compensation for liberty: "The theatre is ready," said they, "few people will have witnessed the side-scenes, and paying spectators will not be wanting. We may commence." The paid spectators were still less wanting. Nothing was more *bizarre* than the first attempt at a princely court at Malmaison and Saint-Cloud. People laughed much on seeing inexperienced courtiers destroying, by a black neck-tie or boots, the harmony of a marquise's toilet. But what was this medley of colours compared with that motley work of the minds who united revolutionary passions with their recent monarchical devotion? On more than one piece of embroidery, there might have been discerned ill-dried blood. A former proconsul reigned by means of the agency of police, and mingled the coarse language of the clubs with his eager flatteries. The First Consul, on his return from a triumphant journey in Normandy and Belgium, said to his brother: "I have got to know all the baseness of the French, and assure myself that I could obtain from their servility all that I wished to require of it"† His first requirements, however, exceeded the measure, for, jealous of his personal power, he did not wish even to found a dynasty, in order to be free to transmit his crown to whomsoever

* "Mémoires sur le Conseil d'Etat," p. 228.

† Mio de Melitto, "Mémoires," II., p. 329.

he pleased, and in order that it should not be said that there was a single rule in the future before which he might be obliged to bend. This determination raised the most violent storms in his family, and caused gentle and peaceful men, like Joseph, wrathfully to curse him. These sad scenes are re-produced in the curious "*Mémoires*" of Miot de Melitto. They enable us to understand this mournful exclamation of the author who expressed the strong impression of a great number of his contemporaries: "Behold, then, the issue of that Revolution commenced by an almost universal impulse of patriotism and love of liberty! What! so much blood shed on the fields of battle, so much blood poured out on the scaffold, so many fortunes destroyed, so many sacrifices of all that man holds most dear, shall have ended only in making us change masters, only in substituting a family unknown ten years ago, and which, at the commencement of the Revolution, was scarcely French, for the family which reigned in France for eight centuries! Is our condition then so miserable that we have no other asylum than despotism; that we are obliged, in order to ward off the evils which to-day threaten us, to grant everything to the Bonapartes, without demanding anything from them? To raise them to the finest throne in Europe, to give them, as a heritage, the glory of commanding one of the first nations in the world, without ever imposing on them the slightest condition, without any contract binding them, without any new institution at least replacing those which sometimes served as an obstacle to the caprices of our ancient masters? It is not in a debased Senate, in a Council of State without consistence, in a mute legislative body, in a trembling tribunate begging a few places, in a magistracy without consideration, that we must seek a counterpoise to this immense power entrusted to a single man."* What com-

* Miot de Melitto, "*Mémoires*," II., pp. 171, 172.

pletes the picture of the period is, that he who wrote these lines was counsellor of state in ordinary service.

It was of importance to determine the political situation in which the Concordat took its rise. It was born, like all the institutions of that time, of a thought of personal ambition, and it made part of that plan of re-action and monarchical restoration so profoundly conceived, and executed with so much energy by General Bonaparte. Lafayette determined its true character the day on which he addressed this witty word to the First Consul on the occasion of the negotiations with Rome: "You wish to have the little phial broken over your head." "We shall see, we shall see," said Bonaparte.* Bourrienne, in relating this conversation, adds: "Behold the true origin of the Concordat." We cannot doubt it for an instant when we take into account the religious opinions of the First Consul, whether by glancing over his correspondence, or, by seizing in their flight, those brusque and picturesque words which escaped him in intimacy or even in his council of State. Religion is always considered by him, from the political point of view, as an instrument of government, as an efficacious means of ruling minds and attaching them to himself. He made for himself even the first place in that domain where there is no other acceptable sovereignty than that of God. Doubtless he cannot be accused of atheism; his lofty intellect rejected the absurdity of a world, so wonderful as ours, being born of chance. "It is to intellect," M. Thiers has very well said, "that it belongs to acknowledge intellect in the universe, and a great mind is more capable than a small one of seeing God in his works." Then, Atheism is an enemy to order, subordination, and obedience in civil, as well as in religious society; for this reason it was necessarily displeasing to the greatest genius for govern-

* "Mémoires de Bourrienne," V., p. 62.

ment that has ever existed. Open rebellion against the sovereign of heaven was a bad example. The general, then, was sincere every time that he spoke of the Divine grandeur, such as it appears from the spectacle of creation, or from that starry sky which he one day pointed out to Monge with unfeigned emotion. But more must not be asked from a man of war, or from a profound politician. This religious sentiment, sufficiently vague, whose influence over himself he acknowledged, he was very decided to make use of, and he sought, not so much to satisfy it, as to draw advantage from it. Now, there are few more serious ways of misunderstanding and offending it. Every time that religion is considered not as an end, as the supreme end, but as a means of realising earthly and personal designs, its very essence is misunderstood. We love to believe that on the rock of Saint Helena, a Divine ray crossed the tormented heart of the great captive; but it is certain that, up to his fall, he considered religion only in its relation to his policy, and that he dispensed to it protection and disfavour by turns, according as he found it useful to his interests. In religion, as in all things, he saw only himself, and himself alone. Before and after the Concordat, the same point of view prevails in his speeches. The young man who is still only a general of fortune—of a marvellous fortune it is true—expresses himself as the chief of a great empire. We have from him in this respect the most various acts and designs according to the occasion.

In the first campaign in Italy, when he has business with the dignitaries of the Church, he speaks with respect of the beauty and spirit of the Gospel; but that does not hinder him, on his return to Paris, in presence of a power a sworn enemy of Christianity, and before a scoffing people imbued with the same ideas, from placing in the first rank among the benefits of the Revolution, the destruction of religion itself. Here was the

opening of his speech in answer to the Minister of Foreign Affairs who had presented him to the Directors: "The French people, in order to obtain a Constitution based on reason, had *eighteen centuries of prejudices to conquer*. The Constitution of the year III. and you, have triumphed over all these obstacles. *Religion*, feudality, and royalism, have successively for twenty centuries, governed Europe, but from the peace that you have just concluded, will date the era of representative governments." * Religion is here seen placed in the same rank as feudality and royalism, and presented as one of the scourges of humanity. The young general passes into Egypt. On his way, he addresses pious words to the Bishop of Malta, to cover with honied speech his recommendations of a prompt submission to the new power. But scarcely has he set his foot on the land of the pyramids, than he addresses to his soldiers the famous proclamation in which he recommends them to act with the people subject to the Koran as they have acted with Jews and Christians, and to have the same regard for their muftis and imans, as they have shown to the bishops and rabbis in Europe. He does more; he wishes that the festivals of the Ramazan should be celebrated at Cairo with greater pomp than ever. It is thus that he realises, with some variations, the famous verse of Voltaire upon Zaïre, and that he is a Christian in Italy, a free thinker in Paris, and a Mussulman on the banks of the Nile. He has, however, developed his theory in full council of State, with all the clearness desirable, and that after the Concordat: "For my part," said he, one day, "I do not see in religion the mystery of incarnation, but the mystery of social order; it attaches to heaven an idea of equality, which prevents the rich being massacred by the poor. Religion is also a sort of inoculation or vaccine which, by satisfying our

* "Moniteur," XXIX., p. 90.

love of the marvellous, secures us against charlatans and sorcerers ; the priests are better than the Cagliostros, the Kants, and all the dreamers of Germany.* The mystery of social order was, before all, in the eyes of Napoleon, submission to the civil power. This was for him the essential dogma, the chief precept, the very basis of religion ; now the priests appeared to him eminently useful to tighten the curb of obedience in his States. The Emperor of Austria exclaimed, on learning the conclusion of the second Concordat, that he highly approved of Napoleon, that he knew by experience that priests could not be dispensed with in a well-ordered State, and that, as for him, he had need to make his authority respected by two armies, the one white, the other black.† On that day the two Emperors understood each other. Napoleon constantly returned to this utilitarian point of view, in his correspondence with the ecclesiastics as well as in his addresses. When he is yet a republican general, he praises the priests, "who have acknowledged that the political code of the Gospel is summed up in the liberty and sovereignty of the people, and who strive to calm instead of to agitate them." In fact, by holding this democratical language, they serve his policy of the moment, which consists in founding republics in Italy ; he is not wanting in praises on their account, he compares them to Fénelon, and declares that "such priests are the finest present that heaven can make to a government."‡ To say truly, he loved republicanism amongst the priests, only as a mark of their docility to receive his orders. He did not long enjoin upon them this kind of opinion, and the cardinal virtue which he

* "Opinions de Napoléon sur divers sujets de politique et d'administration, recueillies par un membre de son Conseil d'Etat." Paris, 1833, p. 223.

† Ibid., p. 141.

‡ "Correspondance de Napoléon," Vol. II., letter of the 10th of September, 1797.

esteemed the most among them, was eagerness to submit themselves to the temporal power. "I do not conceive a more respectable character or one more worthy of the veneration of men," wrote he to the Bishop of Malta after the conquest of the island, "than a priest who, full of the true spirit of the Gospel, is persuaded that his duties require him to render obedience to the temporal power, and to maintain peace in his diocese."*

The true thought of Napoleon, that which presided at the Concordat, comes out with the greatest clearness in the speech which he addressed to the parish priests of Milan in the month of June, 1800, on the eve of Marengo. It must not be forgotten that he spoke especially for Paris and Rome. This speech deserves to be reproduced as the preface to the Concordat:—

"I have desired to see you all assembled here," said the General, "in order to have the satisfaction myself to communicate to you the sentiments which animate me on the subject of the Catholic, Apostolic, and Roman religion. Persuaded that this religion is the only one which can procure a true happiness to a well-ordered society, and strengthen the base of good governments, I assure you that I shall apply myself to protect and defend it at all times and by all means. You, the ministers of this religion, which truly is also mine, I regard you as my dearest friends; I declare to you that I shall consider as a disturber of the public peace, and an enemy of the common good, and whom I shall know how to punish as such in the most rigorous and striking manner, and even if necessary, *with the penalty of death*, any one whosoever who shall offer the least insult to our common religion, and who shall have committed the slightest outrage against your sacred persons. My formal intention is, that the

* "Correspondance de Napoléon," Vol. III., letter of the 12th of January, 1798.

Christian, Catholic, and Roman religion be preserved in its entirety, that it be publicly practised, and that it enjoy this public practice with a liberty as full, extended, and inviolable, as at the period when I entered, for the first time, into these happy countries. Now that I am furnished with full powers, I am resolved to make use of all the means that I shall believe to be the most convenient to secure and guarantee this religion. Modern philosophers have made a desperate effort to persuade France that the Catholic religion was the implacable enemy of every republican government. Hence that cruel persecution which the Republic practised against religion and its ministers; hence all the horrors to which that unfortunate people was delivered. The diversity of opinions which reigned in France on the subject of religion at the epoch of the Revolution, has not been the least of the sources of these disorders.

“Experience has undeceived the French. . . . I also, I am a philosopher, and I know that in any society whatever, no man could pass for just and virtuous if he knew not whence he comes nor whither he goes. Mere reason could not satisfy us on these points; without religion, we grope continually in the dark, and the Catholic religion is the only one which gives to man certain light on his origin and final destination. No society can exist without morality—there is no good morality without religion; *it is, then, only religion which gives to the State a firm and durable support.* A society without religion, is like a vessel without a compass. France, taught by her misfortunes, has recalled the Catholic religion to her bosom. I cannot deny that I have contributed to this noble work. I assure you that the churches in France have been re-opened, where the Catholic religion resumes its ancient splendour, and that the people see with respect these holy pastors who return full of zeal to the midst of their abandoned flocks. When I shall be able to confer with the new Pope, I hope

I shall have the happiness of removing all obstacles which may still be opposed to the entire reconciliation of France with the Head of the Church. This is what I wished to communicate to you on the subject of the Christian, Catholic, and Roman religion. I desire that the expression of these sentiments may remain engraven on your minds—that you should put in order that which I have just said, and I should approve that part of it be made public by means of printing,—in order that my dispositions may be known, not only in Italy and France, but also in all Europe.”*

The First Consul speaks like a true confessor of the faith; only he speaks especially for the European echo, and in vain does he swell his voice—he does not go beyond the political order. He makes an advance to Catholic opinion, and he reckons that it will respond to it. It is a business, a negotiation which is entered upon; it is an act of the head of the State with which the Christian has nothing to do. If he, the armed representative of France, has not feared to threaten with the penalty of death the least religious offences, it is because the orator, according to his custom, becomes all things to all men; he makes himself an Italian for the Italian priests; he thinks only of his calculation of the moment. If we doubted it, we have only to hear him some months later, no longer in great official pomp under the vaults of the Cathedral of Milan, but at Malmaison, in an intimate conversation with one of his familiars. It was at the time when the negotiations with the Court of Rome were in full activity. The First Consul had turned the conversation on religious ideas; he had characterised as ideology—which was, for him, the last term of contempt—purely philosophical opinions such as Deism. He had spoken of the emotion which he had felt but lately in hearing the church-bell of Rueil—“so strong is the power of habit and

* “Correspondance de Napoléon,” Vol. VI., p. 338.

education." A man so occupied did not speak of his ideas and emotions for the simple pleasure of expressing them. We may be assured that he had a concealed intention and a precise aim. In fact, these effusions were designed to introduce a grave communication. "I said to myself," added he, immediately, "what impression must not all that make on the simple and credulous man—let your philosophers and your ideologists answer to that! The people must have a religion; this religion must be in the hands of the Government. Fifty emigrant bishops, paid by England, to-day lead the French clergy. We must destroy their influence; the authority of the Pope is necessary for that. He dismisses them, or makes them give in their resignation. It is declared that the Catholic religion being that of the majority of the French, the exercise of it ought to be organised. The First Consul nominates a hundred bishops, the Pope institutes them, they nominate the parish priests—the State pays them. They take the oath. The priests who do not submit are transported. It will be said that I am a Papist. I am nothing. I was a Mahomedan in Egypt; I shall be a Catholic here, for the good of the people. I do not believe in religions, but in the idea of a God." And raising his hand to heaven,—“Who is it that has made this?” *

The First Consul then developed the advantages of his plan. “Enlightened people will not rise against Catholicism. They are indifferent. I spare myself great annoyances in the interior; and I can, by means of the Pope outside” He stopped. The reticence was significant. The conversation terminated abruptly by these words: “There is no longer good faith, nor belief. *It is a purely political affair.*”† The new Cyrus took

* “Mémoires sur le Consulat,” attributed to Thibaudeau, Book XII., 1827.

† Ibid., p. 159.

care, by this very frank confession, to establish well in what sense he restored the altars. He unceasingly repeated to his secretary, Bourrienne: "You will see what advantage I shall draw from the priests."* He was, nevertheless, fully resolved to crush, so soon as they should make the slightest resistance to him, "these sacred persons," to whom he had testified such great friendship at Milan, and whom he was willing to protect with his sword. At the very time that he was preparing the Concordat, he said, one day, to Carnot, on the occasion of a feeble manifestation of clerical opposition: "The priests and nobles are playing a great game. If I were to let loose the people upon them, they would all be devoured in the twinkling of an eye."†

We have indicated the great political reason which drove the First Consul to treat with the Court of Rome: he wished to enlist to his advantage the religious power, the indestructible influence of which he acknowledged. He could not otherwise have allowed liberty to religion, without limiting his own arbitrary power. Let us say, rather, liberty of religion was possible only with the maintenance of liberty itself in the most extended sense. What, after all, is a free Church? It is an association which assembles at regular intervals, and which uses the liberty of writing and speaking. It cannot dispense with the most essential rights of a freed people; the right of association and assembly, the liberty of the press, all these great guarantees of modern society are indispensable to it. It is the honour of religion not to be able to use liberty as a monopoly; behold why its first interest is to require it for all. The Dictator of the 18th of Brumaire (Nov. 8th), was then logically constrained to bind this great power with the same chains with which he encompassed France. He

* "Mémoires de Bourrienne," V., p. 232.

† "Mémoires sur Carnot," by his son, II., p. 224.

could not tolerate this abominable disorder, that a word which he had not inspired should resound over a part of the country, and that in face of his prefects there should be independent bishops. The maintenance of a single free association was a stain on the map. It was necessary quickly to remove it, in order to celebrate the jubilee of centralisation realised from one frontier to the other, without anything intervening to break this magnificent uniformity. The same hand which raised the throne was not to raise the altar—for it was standing, and never had purer incense burnt upon it—but to lean it against the throne. In his furious desire for absolute domination and omnipotence, the great despot could not consent not to reign in all domains. He was soon to learn that it is more easy to attempt such a usurpation than to succeed in it. Let us judge of it by these bitter words, which explain all the insurmountable difficulties that he met with in this division of power in which he vainly reckoned on having the lion's share: "See," said he to the Council of State, "see the insolence of the priests, who, in the sharing of authority with what they call the temporal power, reserve to themselves action over intellect, over the noble part of man, and mean to reduce me to have action only over bodies. They keep the soul and throw me the carcase."*

After these preliminaries, indispensable for comprehending the import of the Concordat, we have only to recount the different phases of the negotiation. It was necessary, at once, to negotiate with public opinion at Paris, and to treat with Rome. The First Consul used his personal influence for the first negotiation, which was not the least difficult, and employed, for the second, skilful agents, armed with promises and efficacious threatenings.

* "Opinions de Napoléon sur divers sujets de Politique et d'Administration, recueillies par un Membre de son Conseil d'Etat." Paris. 1833, p. 201.

We have seen in what a prosperous situation, from the religious point of view, the Church, whether Gallican or Constitutional, found itself at the close of the preceding *régime*. Every day, worship was re-established in new parishes, and the work of reorganisation was pursued without intermission. The nonjuring priests, moreover, despite the proscription still in force against them, had spread themselves in the towns and country places, and were rallying around them an important portion of the populations, especially in the South and West. The two clergies were still very far from understanding each other, but nothing prevents us from thinking that if liberty of worships had been really acknowledged, they would have arrived at a reconciliation. In any case, the Papacy would not have been obliged to make, for the sake of that, concessions as considerable as those to which, in the end, it consented in order to conclude the Concordat. The first measures of the new *régime*, in what concerns religion, can only be approved. By the decision of the 3rd of Nivose (Dec. 23rd), which authorised the consultative commissions, formed of the remnants of the dissolved councils, to receive the complaints of the transported priests, it clearly showed, at the very outset, that the era of religious proscription was about to end. The ashes of Pius VI. were restored to his former subjects, and solemnly transported to Rome. A few days after, a decree, judicious among all parties, substituted for the Constitutional oath, which had provoked so many storms, a simple engagement of fidelity to the Constitution. The question of principles was thus set aside, and conscience released. In fine, the resolution of the 3rd of Prairial, which reopened the temples to the Christian worship, was revived. The Minister of Police, Fouché, the ancient proconsul of Nièvre, tried, indeed, by his circulars, to diminish the import of these measures, but facts were much more important than words. Men began to hope that liberty of worships would no longer be a

sad irony on the frontispiece of the Constitution. There was still more than one vexatious procedure on the part of the local authorities, provoked often by the imprudence of the religious parties, who made open war on each other, but quiet would have ensued from liberty seriously granted. We have stated the reasons which prevented the cherishing of this hope. Already the liberty of the press had been suspended, and with it all the guarantees which it alone can preserve. It became evident that the work of reaction would be pursued in the religious domain as elsewhere.

Scarcely had the First Consul returned from his memorable campaign in Italy, than he set himself to regulate the affairs of the Church in the spirit that we have indicated. He was quite new to this order of questions, but he had a very determined will and the power to carry it into execution. He hastily formed for himself a small theological or ecclesiastical library, but he appears to have profited by it still more hastily. He caused the Latin works of Bossuet to be translated for his own use, and the liberties of the Gallican Church to be thoroughly declared. He gave them his high approval: this suffices to condemn them from a liberal point of view. This approval did not prevent him from afterwards completing them, in a very singular manner, by innovations sufficient to make the great shade of Bossuet shudder, for they sanctioned the most exclusive Ultramontanism. This rapid theological and ecclesiastical apprenticeship of General Bonaparte, is thought to be admirable. It does not appear to me more admirable, than the very correct orthodoxy of Constantine at the Council of Nicaea, and his edifying harangues to the heretics to press them to adopt the good doctrine. These essays of controversy in the mouth of the masters of the world, produce upon me the most pitiable effect. To present arguments of theology or ecclesiastical right, with the hand on the hilt of the sword, is out of character.

The plan of the First Consul appears to have been promptly enough conceived. He had for a long time been thinking of the opportunity of a treaty with the Pope. We should be much mistaken were we to imagine that he was guided in any degree whatsoever by the recollections of childhood which the bell of Rueil awakened in him in his leisure hours. The letters written by him on the occasion of the negotiations which preceded the treaty of Tolentino, reveal an indifference, mingled with contempt, for that Pontifical institution which he was to find so admirable on the day on which it appeared to him useful to his policy. He wrote to Cacault on the 26th of September, 1796, "to dodge the old fox." Whilst in an official note of the 19th of February, 1797, he announced to the Pope that he would have no more faithful ally than the Republican Government, he wrote to the Directory the same day that infallibly *the old machine* was going of itself to get out of order. Certainly, his least care would have been to repair it, but the profound statesman was beginning to appear in the victorious warrior.

The plan of the Concordat has often been vaunted as a creation of genius brought to light by his fertile cogitations. Nothing is more false. Closely examined, we find there the ancient and invariable Latin and French tradition, *i.e.*, to say, the obsolete system of the entire subordination of religion to the civil power. It is the old system of the jurists of royalty, which had been restored anew by the Constituent Assembly. The Concordat is only a grevised edition of the Civil Constitution of the Clergy, without the democratic element, which was no longer seasonable. It was very easy to take away from this Constitution that which was decidedly unacceptable to the Papacy, *viz.*, the elements of Presbyterianism which it contained, and the right of election by the people. What was displeasing to the Vatican was not any more pleasing to the Tuileries; religious elections would have troubled

the peaceful formation of the lists of notables, and the councils of the canons, if they had had a deliberative voice, would have had a vague resemblance to the Communal Councils, which were no longer desired. By lightening the Civil Constitution of the Clergy of these grievous innovations, it was rendered almost acceptable to Rome, except on one or two points to be debated, and it gave to the new power a functionary clergy who did not disfigure the beautiful harmony of the French administration, especially if care was taken to make large borrowings from the old Gallican right, so distrustful in regard to the Papacy. A sufficient salary would be assured by the State to the bishops and parish priests. Such is the plan which the First Consul sketched, or rather borrowed from his ecclesiastical library, and which was about to be precisely stated and completed in the negotiation.

Besides, he was urged only by himself in this direction ; no current of opinion constrained him ; on the contrary, he directly offended it by re-establishing an official worship. But he took seriously the word of Cambacérès ; he firmly believed that the Government represented the nation, its religious as well as its political interests, and he arrogated to himself the extravagant right of sovereignly, and by himself alone, deciding a question of conscience, which is the gravest of usurpations. The opponents to the reconstitution of an official worship, obtained recruits without doubt, at first, from amongst the numerous adherents of the philosophy of the eighteenth century, who imagined, quite falsely, that the governmental protection would raise the credit of religion ; this was to forget that nothing was more calculated to degrade it than a rich servitude. The sound part of the Constitutional clergy only asked that they might freely and peacefully pursue the restoration of the Church of France. As for the refractory clergy, the dispensing with the oath accomplished their wishes, and they had to make more than one capitulation of conscience in order to

accept the Concordat. The men of 1789, the true liberals who had remained faithful to the belief of their youth, beheld the attempt of the First Consul with marked displeasure. We learn from the "*Mémoires*" of Lafayette, that the illustrious general made a journey to the First Consul, in order to dissuade him from re-establishing an official religion, and to counsel him "to accept in its integrity the American principle of perfect equality amongst all worships, each of them remaining separated from the Government, and the religious societies forming themselves at their pleasure, under the direction of priests chosen and paid by themselves."* Nothing can better measure the distance which separates the spirit of 1801 from that of 1789, than to state the impression which this intervention of Lafayette produced on the First Consul. "M. de Lafayette," said Bourrienne, "blamed the Concordat. He would have wished that Bonaparte, leaving to all worships equal liberty, should have placed them all as, in the United States, quite apart from the Government, and that the followers of any worship whatsoever should have agreed amongst themselves to provide for the requirements of that worship and of its ministers. I remember that on that occasion Bonaparte said to me: 'Lafayette may be right in theory; but what is a theory? A folly when it is wished to make an application of it to a mass of men; and then he imagines himself always in America, as if the French were Americans. He will not perhaps teach me what is necessary for this country. The Catholic religion prevails here, and, besides, I have need of the Pope; he will do what I wish.'"† If the opinion of liberal minds was contrary to the schemes of the First Consul, the mass of the nation troubled themselves but little about them, and showed the most perfect indifference. "At

* "*Mémoires de Lafayette*," II., p. 63.

† "*Mémoires de Bourrienne*," V., pp. 61, 62.

the time of the accession of Bonaparte," says Madame de Stael in her "*Considerations sur la Révolution*," "the most sincere partisans of Catholicism, after having been so long victims of the political inquisition, aspired only to a perfect religious liberty. The general wish of the nation was limited to this, that all persecution against the priests should henceforth cease, and that there should no longer be required of them any kind of oath; in fine, that authority should not mix itself up in any way with the religious opinions of any person. Thus the Consular Government would have satisfied opinion by maintaining in France toleration such as it exists in America. But the First Consul knew that if the clergy were to resume a political consistence, its influence would second only the interests of despotism; what he wished, was to prepare the way for arriving at the throne. A clergy was necessary to him as he had chamberlains." * But until the new chamberlains should enter upon their functions, it was necessary to explain to the old ones the motives of a plan which looked pleasing only to its author. This is what the First Consul did in his frequent conversations with his familiars, always terminated by the triumphant reply of him who could do everything.

To those who counselled him not to mix himself up with religious quarrels, and to content himself with equally protecting all worships, he answered that power could not be indifferent to religion in a religious country. As if the intervention of the State was not especially dangerous, and likely to raise the gravest conflicts there where there is a fermentation of ardent convictions, naturally unduly susceptible. What can we think of the argument that the Government could not be disinterested in the quarrels of different Churches, and that it should place itself as a judge in the combat? History proclaimed, in a manner suffi-

* "*Considerations sur la Révolution Française*," II. p. 273.

ciently clear, that the surest means of envenoming and perpetuating theological disputes was for the State to attempt to bring about forced reconciliations, which are, in reality, only a hypocritical peace obtained by the humiliation of one of the parties. In truth, it was not worth while to be a great genius in order to recommence the Byzantine tragi-comedy. In reality, the pacifying of these quarrels was of very little concern to him; his motive was more simple, he expressed it without circumlocution in these words: "In the *régime* of liberty, the Government could not seize upon the religious administration by a wise agreement with the Holy See. We have never seen a State without religion, without worship, without priests. Is it not better to organise the worship and to discipline the priests, than to leave things as they are? In place of exiling the priests who preach against the Government, is it not better to attach them to one's self? I tell you that the priests who will accept offices will make a schism with the ancient incumbents, and will be interested in preventing their return."* When he was urged to place himself at the head of the clergy, and it was represented to him, quite erroneously, that, by a word, he could make France Protestant: "Would it not be necessary," replied he, "that I should do quite the contrary of Henry IV. ? You understand nothing about it; the half of France will remain Catholic. We shall have interminable quarrels."† It was at least wished that he would not treat with Rome, and an attempt was made to frighten him concerning the power of the Papacy. But this power, at a distance, strictly maintained in narrow limits, reassured in place of disquieting him; he saw in it a convenient means of realising his favourite plans. He then found the temporal power of the Papacy an admirable combination, only because it lent itself to his views.

* "Mémoires sur le Conseil d'Etat," c. XI.

† Ibid.

“Centuries have done that, and they have done it well;” such was his language when he imagined that they had done it for him and for his interests. One might be well assured that he would undo in a day this secular work, as soon as he should believe it useful to his policy. “A Pope is necessary to me,” repeated he to those around him, “but a Pope who brings together in place of dividing, who conciliates minds, reunites and gives them to the Government that has issued from the Revolution. And for that, there is necessary to me the true Pope—Catholic, Apostolic, and Roman.” A Pope is necessary to me! The question is not whether this Pope has not rights over the Catholic Church, whether it is not to religion itself that he is necessary. A childish question and without importance! It is to the First Consul that a Pope is necessary; it is his policy that has need of him. He troubles himself much with dogma, discipline, truth in itself, with the good of religion. A Pope on the earth was necessary to him just as a God in heaven, a religion which should crown his power, which should impress on men’s minds wise notions of authority, and which should permit him to maintain a police with less expense, and levy his imposts with less difficulty. In his eyes, God was too far off to inconvenience him; but it was not so with the Pope, who had not lost the habit of meddling with the affairs of this world. The First Consul thus reassured his counsellors on this delicate point: “With the French armies and popular power, I shall always be sufficiently the master. When I shall again raise the altars, protect the priests, *maintain them*, and treat them as the ministers of religion deserve to be treated in every country, he will do what I shall ask him in the interest of the general repose. He will calm men’s minds, reunite them under his hand, and *will place them under mine*.” To maintain the priests, in order that in return their chief at Rome may place them under the good pleasure of the civil power, behold what

the First Consul calls reviving religion ! The clergy are to kiss the hand which nourishes them ! that is the central point of his thought.

He dared not hold language of such soldier-like frankness to men like Grégoire. He condescended so far as to ask from him a memorial on religious affairs, whilst perfectly decided to take no account of it.* We may judge of his sincerity by this word addressed to a counsellor of State, at the very time that the negotiations with Rome were pending : "What we are doing is inflicting a mortal blow on Popery."† Thus, this restorer of religion was playing the artful politician with the Holy Father. He was acting in conformity with the counsel which he had given some years previously to the plenipotentiary of the Republic at Rome ; he "dodged with the old fox." Edifying preliminaries of the religious peace, the not less edifying catastrophes of which it remains for us to follow.

Everybody in France could not have the advantage of being directly persuaded by the lively and original eloquence of the First Consul. It was accordingly to be feared that public opinion might pronounce against his views if it was not watched over and carefully restrained. The liberty of the press was suspended, nothing was more easy than to forbid all inconvenient discussion on religious affairs. The word of order was given to the prefects. A circular of the prefect of the Seine-Inférieure to the journalists of his jurisdiction, is worthy of being preserved in the annals of administrative literature, which already possesses so many curious treasures : "The interests of earth," wrote this functionary, "are sufficient to supply your journal. Prove your respect for those of heaven by abstaining from speaking of them."‡ The conclusion

* "Mémoires de Grégoire," I., p. 93.

† "Mémoires sur le Conseil d'Etat," c. XI.

‡ "Annales de la Religion," XIII., p. 185.

was a threat of immediate suspension of every journal ill-advised enough to show to religion that insolent contempt which consists in not letting it pass entirely under silence. The moment for the official communications to the great bodies of the State had not yet arrived. It is, then, in the shade and silence that that was about to be prepared which it is agreed to call the religious peace. *Silentium faciunt et pacem appellant.*

Chapter ii.

Conclusion of the Concordat.

WE know the first basis of the negotiation: the point of departure was the Civil Constitution, somewhat revised. They preserved the diocesan division, which appropriated a bishopric to each chief town in the department, and placed the bishop opposite the prefect, or rather subject to him. It was necessary, then, to obtain from the Court of Rome, a reduction of the ancient dioceses, and that was a concession which it had energetically refused to the unhappy Louis XVI. It is true that in exchange they made cheap with all that resembled Presbyterianism; they put in force the articles of the ancient Concordats which, by abandoning the right of nomination to the Prince, acknowledged to the Pope the right of investiture by a bull. The contracting parties understood each other very well on these points; it was not even very difficult to bring the Papacy authoritatively to reduce the dioceses by imposing its will on the recalcitrant bishops; for that was for it a true *coup d'état* which raised its power higher than it had ever been; it was, by its own confession, to do what it had not dared to do in the whole course of time, it was to place the entire episcopacy in dependence upon it; it was, in short, to sanction that of which the most exaggerated Ultramontanism had not even dreamed. The Powers are always disposed to allow themselves to be forced to increase their prerogatives. Resistance on this article was not to last long. It was not so with two other concessions,

imperatively demanded by the First Consul. Let us acknowledge, to his honour, that he strongly wished to maintain the equality of worships before the law, and that he would have refused all return to an exclusive and persecuting religion. A reaction of this kind was, besides, impossible, even in enslaved France. Now the Papacy had remained invariably faithful to the principle of State religions, it was for it an incontestible truth that Catholicism alone ought to be protected and tolerated; it thought, as it still thinks, as it will ever think, so long as it shall be connected with a theocratic *régime*, that liberty of conscience is the first of heresies. So it was on this point to raise and prolong the most vigorous resistance. A concession, not less bitter for it, was to confirm the nomination of bishops who had belonged to that Constitutional clergy against which it had exhausted its thunders. This was a humiliating recantation. It never sincerely consented to it, and never ceased to demand retractations, which were to be true acts of penitence, from the ecclesiastics who had taken the oath to the Civil Constitution of the Clergy. The First Consul was resolved not to give way, for the exclusion of the Constitutional priests would have revived the sharpest polemics, and he desired the silence of docility. Negotiation was not then easy, especially between two powers, one of which was accustomed to a thundering speed, and assumed to make peace as it made war, and the other had all the delays, and followed all the windings familiar to a government of old men and priests.

The See of Rome was then filled by a respectable Pontiff, without arrogance, but endowed with that gentle firmness which, on occasion, knows how to show itself invincible. His reputation was without a stain; he was formed in the retirement of the cloister, afterwards he had attained by a merited favour, the highest ranks in the ecclesiastical hierarchy. He had the good fortune to bear on his fine and regular features the impress of a

pure and melancholy soul. He could admirably personify a persecuted Church, and easily become one of those living protestations against despotism which are its gravest peril; it was very dangerous to make a martyr of such a man. A mild glory was, as it were, placed beforehand on his forehead, which did not prevent him from possessing in a high degree the Italian subtilty. General Bonaparte had inspired him with a strong sympathy, which the worst treatment never succeeded in entirely stifling. As Bishop of Imola, he had published, at the time of the French domination, a homily very favourable to Republican ideas, and which singularly made short work with the anathemas of which Rome had been so lavish for the Revolution. It was a rare happiness for the First Consul that the choice of the Conclave at Venice was directed to the Cardinal Chiaramonti. The most active agent of this election had been the prelate Gonzalvi, who had succeeded by a conciliatory eloquence, and more skilful than they could wish on such an occasion, in bringing over the votes to his client, soon to become his all-powerful protector. The purple had been his merited recompense, and he saw himself raised to the rank of Secretary of State, at the moment when the First Consul made the first overtures to the Court of Rome. The Cardinal Gonzalvi had not the graceful dignity of Pius VII., but he had a mind supple, and even brilliant, at once affectionate and cunning, as is often the case in Italy, and he was sincerely attached to the Pope. Pius VII. had accredited to the First Consul, officiously at first, then soon officially, Spina, Bishop of Genoa, a crafty and timid priest who was particularly occupied with the temporal interests of the Holy See. He was to confer at Paris with Talleyrand, the married ex-prelate, and the Abbé Bernier, but lately the soul of the Vendéan revolt, who had openly rallied to the First Consul, very apt in dealing with ecclesiastical affairs, and concealing a real distinction under the exterior of a country parish priest. To

complete the medley of these strange times, the First Consul appointed as his representative at Rome, M. Cacault, a reformed Revolutionist, according to his own expression, who had the merit of thoroughly knowing the Papal Court, and who was almost an Italian by the skill and graphic vivacity of his language. He was perfectly suited to the part he was to play, which was one of rare difficulty, for the question was of tacking between the ardent impatience of General Bonaparte and the wearisome slowness of the Holy See. The First Consul had given him on his departure an instruction full of wisdom, which he would have done well to have himself observed. "Treat the Holy Father," he said to him "as if he had an army of two hundred thousand men." Unhappily, he remembered too well that he himself had one of five hundred thousand. He would have done better to remember that the Pope, in the spiritual order, was the head of a Church diffused through the entire world.*

The Abbé Bernier began by communicating to Monseigneur Spina the scheme of the First Consul, which, besides the clauses already mentioned, demanded from the Papacy a formal renuncia-

* On the negotiations of the Concordat, we shall quote of unedited documents, the portfolio of documents which relate to the Archives of the Empire. The correspondence of the Abbé Bernier, of Monseigneur Spina, and of the Cardinal Caprera, belongs to the Ministry of Worship, but it is inaccessible, for what reason is not known. See the "Moniteur;" the "Annales de la Religion," from the XIIIth volume to the XVIIIth.; the "Histoire de Pie VII.," by the Chevalier Artaud, volume I.; the second volume of the "Quatre Concordats," of the Abbé de Pradt; the general correspondence of Napoleon, his correspondence with the Cardinal Fesch, inserted in the first volume of the "Histoire des Négociations Diplomatiques relatives aux traités de Morfontaine, de Lunéville et d'Amiens;" the "Recueil des rapports et Discours de Portalis," published by his son; finally, we recall the marvellously lucid exposition of M. Thiers in the third volume of the "Histoire du Consulat et de l'Empire."

ation of its claim to the national properties. That raised a first difficulty. The other points which gave umbrage to the Holy See were disputed with equal sharpness. Monseigneur Spina refused, in the name of the Papacy, to sanction the deprivation of the ancient bishops who would not give in their resignation, and proposed that they should not be replaced until their death, whilst entrusting to the chapters the administration of their dioceses. Wearied with these delays, the First Consul sent directly to Rome his plan of Concordat all drawn out. He received for answer a counter-project, which refused him precisely the satisfactions which he asked, for the Holy See insisted on the proclamation of a State religion, and consented neither to the deprivations of bishops in case of refusal of resignation, nor to the nomination of the Constitutional bishops who should not have obtained their pardon, nor even to the formal renunciation of the property of the Church. Apart from motives founded on its religious scruples, the Court of Rome had a reason of a less elevated order, for persevering in this policy of half-resistance. The powerful Dictator of France had let fall mysterious words from his lips: he had given it to be understood that he would be a new Charlemagne for the Holy See. It was hoped at Rome that that meant that he would restore the Legations. Now, to recover the totality of the States of the Church was the ardent dream of this senile power which could not with its trembling hands again seize its territory, but must obtain it from others. It wished that at least concessions should be of service to it in something, and it delayed them as much as possible, at least those which did not appear to it absolutely incompatible with the Catholic faith. Monseigneur Spina had multiplied allusions to these hopes, which were very near being claims, but they did not wish to understand him. The arrival of the counter-project of the Pope at the Tuileries excited the strongest irritation in the First Consul. He

exaggerated its expression in order to rule by terror those whom he had by vague promises attracted to himself. The unhappy representative of the Holy See was terrified by one of those impetuous sallies which made the most intrepid generals turn pale. Bonaparte attributed the hesitations of the Pope to the perfidious counsels of the ancient and eternal enemies of France, and he announced his intention of doing without a co-operation for which he was made to pay so dearly; this was equivalent to an open rupture. At the same time he gave orders to his minister Cacault to demand from the Court of Rome the signing, within three days, of his plan of Concordat, with orders to set out for Florence if this ultimatum was refused. Cacault had an acute and well-regulated mind; he sincerely desired an accommodation. Besides, he was very much displeased with this brusque despatch; he communicated his thoughts without reserve to Artaud, his secretary. "If we are at Rome," said he to him, "as they are at Paris, that will be a double chaos. It is well established that the chief of the State wishes for a Concordat; it is for that he has sent me. He thinks that I also wish for a Concordat; but his ministers do not perhaps wish it; his ministers are near him, and the character most easy to irritate and deceive, is that of a man of war who does not yet know politics, and who always returns from them to command and the sword. I like Bonaparte. The destinies of the terrible man, I see them almost absolutely in my hands, more than in his own. He becomes a sort of Henry VIII.; he strengthens and wounds the Holy See by turns; but how many sources of glory may be dried up for him if he plays Henry VIII. at Paris! With the Concordats, there are prodigies, particularly for him." The subtle diplomatist had perfectly comprehended what and whom the re-establishment of the good relations with Rome was to serve, and, like his master, he put religion in the back-ground of his calculations. "The General,"

said he again, "compromises everything with this pistol-shot, fired during peace, in order to please his generals whom he likes, and whose camp-jokes he dreads, because he has for a long time made those jokes himself. He breaks off the operation which he desires, and he sows spoiled grain. What is a religious Concordat—the most solemn undertaking with which a man can occupy himself—what is a religious Concordat signed in three days? I see the twelve hours which the Commander-in-Chief granted to one besieged without hope of succour." * The conclusion of this conversation was that the minister set out, but leaving his secretary at Rome, in order not to break the thread of the negotiation. At the same time he induced the Pope to send the Cardinal Gonzalvi to Paris. "Most Holy Father," said he, "it is necessary that Gonzalvi set out instantly, to bear your answer! He will manœuvre at Paris with the power that you shall give him. Something stronger doubtless than cold reason, an instinct, one of those brute instincts, if you like, which never deceives, counsels me, pursues me; I see my worthy Consul, cool, satisfied in the midst of his counsellors who misdirect him. They were accusing you; you in a manner yourself appear. What is it that is said? They wish for a religious Concordat, we anticipate them, we bring it; behold us." The counsel was good, as the result showed, although the Cardinal Secretary of State had almost compromised his journey by writing, before setting out, to the Chevalier Acton, then at Naples, an unlucky letter, in which he represented himself as a martyr on his way to punishment. This letter did not fail to be sent to and read at Paris. The timid Italian had in fact a great fear of passing the Alps. It seemed to him that he was about to descend into the midst of a savage horde. When he saw himself well received, courteously treated,

* "Histoire de Pie VII.," I., p. 122—129.

in a brilliant capital which was resuming the habits of religion, he became reassured ; his first interview with the First Consul commenced by the impatient General knitting his brows, but ended by that delicate and charming smile which was the sign of his satisfaction, and one of his greatest seductions.

The threats of rupture, followed by a commencement of execution, had contributed at Rome to incline opinion towards the concessions. Without doubt, the agents of the foreigner made a desperate effort still to raise and work upon the religious susceptibilities which were, moreover, quite natural in these circumstances. There was, also, repeated in society and amongst the people, this short and biting satire :—

“ Pio VI. per conservar la fede
Perde la sede ;
Pio VII. per conservar la sede
Perde la fede.”

Pius VI. to preserve his belief
Loses his fief ;
Pius VII. to preserve his fief
Sells his belief.

They endeavoured, also, to disturb the vacillating mind of the Pope, by causing false “ Moniteurs ” to pass under his eyes, printed for the occasion, and which contained pretended proclamations of General Bonaparte in the war of Egypt, in which he boasted of having destroyed the Holy See. His authentic proclamations would have sufficed legitimately to disturb the Court of Rome. But different counsels tended more and more to prevail with the Holy Father, and drove him to the conclusion of the religious peace. It must be agreed that they were not borrowed from an order of considerations much more elevated than that which was guiding the French policy. Counsellors favourable to the Concordat insisted on the necessity of doing

everything to re-establish the temporal power in its ancient limits ; they said that the capital of the Holy See was no longer in proportion to the provinces which it still possessed, and that, by showing himself agreeable to the First Consul, he might hope to obtain from his benevolence, either the principality of Sienna, or the restitution of the Legations, or an increase towards the Marches of Ancona, "for it is the First Consul," said they, "who to-day portions out Italy."* "Let us conclude the Concordat which he desires," added other counsellors of the same party ; "they will know when it shall be ratified, all the immensity of its religious importance, and *the power which it gives to Rome over the episcopacy in all the world.*" Thus, complete restoration of the temporal power, still greater extension of the spiritual power of the Pope, now become for the first time, since eighteen centuries, absolute master of the episcopacy, these were the motives which determined the conclusion of this treaty ; let us say rather, of that ambitious bargaining which was in the issue to cost the two contracting parties so dearly. It was on the 15th of July, 1801, that the Concordat was signed between the Cardinal Gonzalvi and Joseph Bonaparte, simply charged by his brother to sanction the negotiation. The last instructions of the First Consul to his brother, enjoined on him to insist on the eligibility of the Constitutional bishops without retractation, "a thing which cannot be required of them without dishonouring them, and compromising the temporal authority which has always supported them, especially from the time of the Constituent Assembly."† Cardinal Gonzalvi had vainly endeavoured to obtain that the Catholic religion should be declared the dominant religion of France. They contented themselves with putting into the preamble that

* "Histoire de Pie VII.," I., p. 168.

† "Correspondance de Napoléon Bonaparte," VIII., p. 177.

it was the religion of the majority of the French; and, in the conclusion, that in case a successor of the First Consul should be a Protestant, new arrangements should be made. It is evident that there was in these two clauses, a timid and embarrassed return to an official worship. Gonzalvi likewise found the French Government inflexible on the immediate replacing of the bishops who should refuse their resignation. Cacault had written to the First Consul at the time of the departure of the Cardinal: "The question is of phrases, of words which one can turn in so many ways that in the end one will seize the right." The right turn was found only on the day on which the plenipotentiary of the Holy See, under the pressure of threats and promises, made all the concessions demanded. Thus was concluded this famous Concordat, the principal clauses of which we reproduce:—

"The Government of the Republic acknowledges that the Catholic, Apostolic, and Roman religion, is the religion of the great majority of the French. His Holiness equally acknowledges that this same religion has drawn, and still expects at this moment the greatest good and *éclat* from the establishment of the Catholic worship in France, and the particular profession which the First Consul of the Republic makes of it. Consequently, after this mutual acknowledgment, as well for the good of religion as for the maintenance of internal tranquillity, they have agreed to this which follows: Article 1st, 'The Catholic, Apostolic, and Roman religion, shall be freely exercised in France. Its worship shall be public, conformed to the police regulations which the Government shall judge necessary for the public tranquillity.' Then follows the article which announces the new circumscription of the dioceses, and demands of the French incumbents a friendly resignation, if they do not wish that the government of the bishoprics should be authoritatively provided for by new incumbents. Article 4 was thus worded:—

"The First Consul of the Republic shall nominate, within the three months which shall follow the publication of the bull of His Holiness, to the archbishoprics and bishoprics of the new circumscription. His Holiness will confer the canonical institution, according to the forms established with regard to France, before the change of Government." Article 6 reduces the political engagements of the new bishops to a simple oath of fidelity to the Government. It was understood that, if in their diocese or elsewhere, there was formed any plot to the prejudice of the State, they should give notice of it to the Government. Article 10 declared that the bishops shall nominate to the cures, but that their choice shall fall only on persons approved by the Government.

The last articles stipulate that, for the sake of peace and the happy re-establishment of the Catholic religion, His Holiness shall not in any way disturb the acquirers of alienated ecclesiastical property; that the Government shall secure to the bishops and parish priests a suitable maintenance; and, in fine, that it shall possess the same rights and prerogatives enjoyed by the ancient Government. A last clause declared that a new Convention should be necessary, in case that one of the successors of the First Consul should be Protestant.

Thus the Papacy obtained, despite itself, it is true, the exorbitant right of deposing the bishops, but in return, the civil power nominates the new incumbents under the reserve of the confirmation of the Papal bulls.

The essential articles of the Ancient Concordats are then re-established, but the contracting parties will find the means of making on each other an implacable war in the very treaty which they have just concluded for the pacification of the Church. The latter will be completely subjected to two powers destined to inevitable and approaching conflicts. The civil power is master of a functionary and paid clergy, and it has, in order to defend

itself against the Holy Father, those police regulations mentioned in the first article, by which it is to assure the public tranquillity—an elastic and dangerous expression with which they are accustomed to stifle all liberty. As for the Pope, he has in hand, as under the ancient monarchy, the formidable power of the refusal of the bulls. Thus, on both sides, this great ecclesiastical charter has its fourteenth article, from which each of the contracting parties can draw its effective abrogation. There might have been given it for motto this famous device : *Si vis pacem para bellum* (If you wish peace, prepare for war). It was soon to show what religious peace was worth apart from liberty.

However powerful might be the two contracting parties, the one in the civil, the other in the religious order, they had more than one difficulty to conquer before arriving at the final result, so much the more that the Pope advanced to it only with regret, and caused incidents to arise, at each step, which suddenly arrested the business. In the first place, the First Consul was to get the Concordat accepted by the Legislative body as a treaty made with a foreign power. Public opinion was so adverse to the new measure, that it could animate this phantom of a parliament and give some reality to its opposition. This was what actually happened. At the Council of State, where the Concordat was presented, on the 6th of August, 1801, the reception was cold and silent. Now, the coldness and silence of the Council of State of 1801 were very significant, and corresponded in the thermometer of public opinion to riot in the street, and to the most active opposition in a deliberative assembly freely chosen. All is relative here below. When those who are accustomed to applaud are silent, the spirit of opposition must powerfully possess them. This icy silence was so much the more strange that the First Consul had taken the trouble himself to explain his work, and that they had admired in him, according to the expression of

his historian, that simple and nervous eloquence which Cicero called in Cæsar, *Vim Cæsaris* (the force of Cæsar).^{*} Nevertheless, that day, his eloquence failed against the discontent of the men on whom he could the most surely reckon. A second embarrassment came from the Assembly of the Constitutional clergy, who, just at this moment, were holding their sittings in Paris with great dignity, and who had been very useful to the First Consul; he had made a scarecrow of them for the Court of Rome.[†] It was necessary to impose silence on it, and to dissolve it, in order to be able then to affirm, that before the Concordat the Christian religion was in full decline in the country, and impatiently awaited the new Cyrus. To dissolve a meeting, were it a Council, was not an affair to incommode the man of the eighteenth of Brumaire; but he had not even need of acting, for the Assembly, on counsels which caused them to foresee orders, separated on the 16th of August. The Concordat was not yet known, and the Constitutional clergy had a vague hope that a serious pacification for the Church of France was being prepared.

The Constitutional clergy showed themselves, in general, well disposed to resign their functions in the interest of the public good, on condition that the resignation should not be imposed by the Papacy. "If the Pontiff of Rome declared our sees vacant," wrote Moïse, Bishop of Jura, in a memorial addressed to the First Consul, "we should tell him that he has not the right, and that they are more canonically filled than that of St. Peter."

Graver difficulties awaited Napoleon on the part of the political bodies. We have stated the attitude of the Council of State and its disapproving silence. The Legislative body never spoke, but

^{*} "Mémoires sur le Consulat," p. 138.

[†] "Mémoires sur les Affaires Ecclésiastiques de France, au commencement du dix-neuvième Siècle." I., p. 24.

it voted; by calling to its presidency Dupuis, the author of the impious book entitled, "l'Origine de tous les Cultes," and by designating Grégoire as a candidate for the Senate, it signalled in the most energetic manner its opposition to the Concordat. The Senate itself—the conservative Senate—forgot itself so far as to sanction a choice evidently disagreeable to the master. As for the Tribune, which alone spoke, but which spoke without voting, and which was for that reason driven to put into its speeches an energy which should compensate for their inefficaciousness, it showed, on the occasion of the presentation of the Civil Code, so active an opposition, that it might be foreseen in what terms it would express itself on the Concordat, otherwise very unpopular, if it should be submitted to its passionate estimate. The generals themselves did not wish it, and openly mocked it. It is known what was the result of this opposition: a second *coup d'état*, surpassing the first, was necessary in order to prepare the adoption of the treaty with the Court of Rome,—a *coup d'état* without sincerity, which took advantage of an ambiguity in the Constitution to renew the Legislative body and the Tribune at the pleasure of the executive power. This ingenious means of sweeping away all resistance was the invention of the Consul Cambacérès. "By having the appearance of making use of our Constitution," said he, "one can do good with it." I do not see, in fact, what obstacle could ever be encountered in any constitution in the world, when we have the art of interpreting it like Cambacérès. That of the year VIII. declared that the first renewing of the Legislative body and Tribune should take place in the course of the year X. The executive power had only to choose its moment. Cambacérès thought that in place of trusting to the lot to point out the retiring members, it was necessary to proceed to this elimination by a balloting which should allow a useful selection. One would thus get rid of opponents, and the

change would be effected. Only we ask ourselves, what use henceforth could the Legislative machine serve, and why did they bind themselves to play this pitiable comedy? The First Consul eagerly adopted the plan of Cambacérès, which gave all the advantages of a *coup d'état*, without the resentment and scandal, and which deceived those for whom crafty violence is not the most shameful of spectacles. Was not a measure which, in order to pass, was obliged to have recourse to such acts, by that very circumstance condemned?

As for the Pope, besides his scruples, he encountered more than one obstacle on his route. It was not certain that all the bishops would consent to give in their resignation. The Constitutionalists made no resistance, any more than the majority of the prelates of the ancient clergy; but the refugee bishops in England openly declared that they would not yield, because they had tradition in their favour. "The right of our ministry," said they in the memorial which they sent to the Pope, "seems to demand from us that we should never lightly break the tie which has united us to the Churches immediately entrusted to our care by the providence of the Most High God." We may see by the "Mémoires" of Grégoire how strong was the agitation in London amongst the high clergy of the ancient Church of France. There was a war of the bitterest pens, quite a skirmish of pamphlets. It appears that female devotion interposed in this quarrel with extraordinary passion. Lally-Tollendal, who advocated the resignations, bitterly complained that the government of the Church was falling under the rule of the distaff. Nevertheless, the refugee bishops in England had indeed some right to plead serious claims. Numerous bishops in Germany and elsewhere subscribed to their conclusions, but the Pope went on his way, and thus made his *coup d'état*, at once hesitating and satisfied, for the Court of Rome could not but congratulate itself on the

power which the new treaty assured to it throughout the entire world.*

Parliamentary resistance being vanquished by the expurgation of the Tribune and Legislative body, the opposition of the bishops reduced to nothing by the Pontifical bulls, it only remained to get the treaty confirmed at Paris, and execute it by the nomination of new incumbents. It was then that a very grave measure, which emanated from the First Consul, came to show how precarious was this peace between the State and the Church.

In fact, the treaty was scarcely concluded, when it was set aside by one of the contracting parties, who, having force at his service, did not believe himself long bound to show respect towards a great moral power disarmed.

The organic articles presented to the Legislative body at the same time with the Concordat could not pass for a simple commentary on the convention concluded with Rome. They tended to the complete subjection of the Church with respect to the civil power; this latter having no longer to manage its rival, had taken to itself the lion's share, and had submitted the worships to the administrative *régime*. The Pope has never ceased to protest against these famous organic laws of Germinal year X., which are the most perfect model of despotic centralisation applied to the Church, or rather to the Churches, for the Bill organised all the religions to which new France granted the right of citizenship. It is well to analyse it in a few words, for no legislative monument gives a better idea of what was understood by religious liberty, in 1802, in the official world.

At first view, it seems that there was in the organic articles only a pure and simple reproduction of the laws which, under the ancient *régime*, regulated the relations of Church and State. The

* Artaud, "Histoire de Pie VII.," chap. xii.

pretensions of Louis XIV. have not exceeded it. But the considerable change introduced into the *régime* of France must not be forgotten. Before the Revolution, the Church could never be totally enslaved; it formed a vast and important corporation, which was proprietor of a great part of the soil, and gave to the State in the matter of subsidies, only what it pleased it to grant. A multitude of benefices rose from other donors than the Prince; the tendency to bring back everything to the royal authority, doubtless gained ground every day, but it incessantly clashed against numberless private rights, which proceeded from pious foundations, and the Church preserved its own life, despite its subordination to the civil power.

Let us first note what was reasonable and beneficial in the organic articles. Toleration found there a noble acknowledgment. The First Consul, who had not wished to inscribe at the head of the Concordat the proclamation of a State religion, acknowledged equality of religions in the most explicit manner in the laws of Germinal year X.; Protestantism was relieved of all the unjust interdicts which had struck it for more than a century, to the disgrace and the greatest misfortune of ancient France. Its worship could henceforth be publicly celebrated by the same right as the Catholic worship, and respect for the religious minority went so far, that the pompous ceremonies of Catholicism were obliged to be confined within the enclosure of the churches, in every town where there was a Protestant temple. The First Consul had truly shown himself the inheritor and faithful interpreter of the French Revolution, in what concerns religious equality.

The organic laws were irreproachable in the articles which tended to prevent the mingling of a foreign power in the affairs of the country, as also in those which separated the temporal from the spiritual, by abolishing all that resembled episcopal juris-

dictions, and by imposing, under the severest penalties, the celebration of the civil marriage before the religious. For this order of questions, men were more advanced in 1802 than they are to-day; the prohibition of the marriage of a priest who has re-entered the laic life, maintains in our laws a strange confusion between religion and civil right, which would not have been admitted at the time of the promulgation of the organic laws. As to all the rest, we could not admire them except as a master-piece of administrative despotism. Not a mesh is wanting in the net which entwines the Church. The ancient prohibition to correspond directly with the centre of Catholic unity is maintained in all its rigour. The Holy Father cannot address a single word to those who acknowledge his authority, without its being countersigned at Paris. His legates also are obliged to get themselves equally authorised by the Government. No resolution of council could go forth before having been sanctioned. They do not fear merely the effect which it might have on the legislation of the country, but they wish to avoid all that by its publication, *might impair or concern the public tranquillity*; a vague and perfidious expression, which gives the right to stop at the frontiers even doctrinal decisions, for they do not fail to agitate opinion, since they have been certainly provoked by a theological controversy. Thus the Government keeps good guard at the frontier, and allows nothing to pass except what has received its visa. In the interior, not content with nominating the bishops and keeping a high hand over the secondary clergy, who are to be approved by it, it admits the meeting of these religious functionaries only on the days and in the forms which are convenient to it. No national or metropolitan council, no diocesan synod, no deliberative assembly shall be held without its express permission (tit. I., art. 45). Dreading an excess of zeal which would constrain it to increase the expenses of worship, and which especially

would keep up a certain independence in the Church, the Government forbade the Church to open even a little private chapel without its previous authorisation.

Thus the State arrogates to itself the right to say to religious ardour: "Thus far, no farther." Not thus has the world been subdued to the truth, and there is no danger of its being reconquered under such conditions. Persecution thus becomes less fettering than protection. It is understood that no religious association, formed to further the ends of devotion or charity, can be constituted without an authorisation always revocable. The right of going and coming, so precious to the French that they have inscribed it at the head of all their constitutions, is refused to the bishops, who cannot go out from their diocese without the permission of the First Consul. We may be assured that the journey to Paris will suffer less difficulty than that to Rome, the air of which is judged decidedly unhealthy for them. Full of solicitude for the youth who are being trained for the service of the altars, the Government wishes to know the name of the masters of the seminaries, in order to follow with paternal interest the progress of the spirit of submission amongst them. It causes them to be taught first of all the declaration of the clergy of France of 1682; for, in the matter of Gallicanism, it pushes orthodoxy to its extreme limits. Ultramontane tares must not shoot up in these chosen gardens, nurseries of a peaceful Church, which has for its mission to teach that the law and the prophets are reduced to these two commandments—*Love God, and serve thy Government*. The State would willingly add: *These two commandments make only one*. It is in order to engrave this summary of dogma and morality in the very heart of the country that the Government specially insists on choosing the catechism taught to youth. We shall see afterwards that the Power has not abated in its august mission, and that it has said in its way: *Suffer the little children*

to come unto me. Extending still further his interest for the ministers of the Church, the Legislator, who had fortified them against all the dangers of liberty, busied himself with their costume, and commanded them to dress *in black and in French fashion*. All these ordinances had for sanction the appeal against abuses (*l'appel comme d'abus*) to the Council of State, which was charged by the Government with the difficult mission of judging, in its name, between it and the clergy.

Behold what the *régime* of the payment of worships represents in the matter of liberty! A clergy separted from its spiritual chief; prevented from freely deliberating on its own interests, and extending its influence and activity; moulded and trained under the jealous eye of the Government; nominated, watched over, incessantly restrained by it; teaching and preaching only what suits it; absolutely dependent on the hand which nourishes it, and holds it in leash: this is very much the summary of the organic articles for Catholicism. All these flagrant restrictions of religious liberty are so many precautions taken against a foreign sovereignty. In fact, so long as the Catholic Church has for head a Pontiff King, its situation is never simple, and the governments on which it depends are led to measures of prudence little compatible with its entire liberty. It will always be thus so long as the temporal power of the Pope shall subsist. The head of Catholic unity will often have political interests opposed to those of some particular State; the relations which he will maintain with the clergies of the different countries will not always be simply religious. There will result, on the part of the governments, the necessity of more or less controlling the Pontifical bulls, because they may have for aim a twofold object. The entire liberty of Catholicism, therefore, always under the surveillance of the laws, will be possible only on the day on which the Pontificate shall have freed itself from the bonds of the temporal power, which are the first to entangle it.

But there was in the organic articles quite another thing than these precautions against the invasions and encroachments of a foreign political power: there was the total inthralment of the clergy. The best proof that such was the intention of the author of these articles is, that the Protestant Churches, which certainly did not acknowledge any foreign dependence, were subjected to a *régime* quite as little liberal. To them, no more than to Catholicism, was it permitted freely to extend or organise themselves. They could no more adopt doctrinal decisions, or modify their discipline, without the good pleasure of the Government. Nevertheless, there were no other motives for their inthralment than the formal intention of everywhere restraining the liberty of religion, and substituting the most minutely-regulated administrative mechanism for the spontaneous impulses of faith.

It was difficult entirely to suppress the right of election in the Protestant Churches. Accordingly, whilst reserving to itself the decisive nomination, the Government admitted a preliminary election on the part of the consistories, an election which was in reality only a presentation; but these consistories themselves were not to make a blemish in the country by preserving on some points the illusion of real elections. The consistory, composed of the pastor and of the principal persons chosen amongst the most assessed in the list of direct contributions, was renewed one-half every two years. This idea, of attaching the internal government of the Churches to the list of direct contributions, was destined to arise and flourish in that time of universal *officialism*.

We have not to mention here all the other precautions taken against the possible awakening of liberty in the Churches of free enquiry. Let it suffice to say that all outlets were ingeniously closed. This caused it to be said to one of the most distinguished representatives of Protestantism in the first half of the century, Pastor Samuel Vincent, of Nîmes: "By the law of the 18th Germinal, religions

cease to exist by themselves and for themselves ; they make a corps with the Government ; they become a subject of administration."

The Legislation of the year X. has not a word devoted to the Churches which might, from choice, remain outside the administrative frameworks, and prefer independence to payment. It does not foresee such an anomaly, which would have supposed the maintenance of religious liberty. It accordingly does not contain a single guarantee for worships not connected with the State. It seems that, wearied by the violent storms of the preceding years, France was, for the moment, satisfied with what was given to her,—the repose of servitude redeemed by glory. There was then no important experiment of an independent Church. For Catholicism, it would have been a schism : Protestantism was all joy to have a large place in the sunshine of the country. We shall see that one of the first consequences of the Concordat was the formal suppression of the liberty of every dissident worship.

In order to prepare a favourable reception for the new Bill by the Tribunate and the Legislative body—a quite useless care in a diminished parliament, from which the opposition had been violently driven out—the Government ordered an enquiry into the state of opinion in France. Naturally, it obtained from its prefects the answer which it desired. They hastened to send word that, according to information, they could assert that the French held to the Catholic worship almost as much as to life, and that it was necessary to beware of judging the departments by Paris. There were no surer means of paying court at this period than by painting the awakening of faith in lively colours. This at least is what we learn from the "*Mémoires Ecclésiastiques*," from which we borrow this information.* One might, however, have reproached

* "*Mémoires sur les Affaires Ecclésiastiques de la France au commencement du dix-neuvième Siècle*," I., p. 32.

the prefects with an awkward zeal, for if the attachment to Christianity had remained so strong in the country, it was no longer possible to attribute the re-establishment of religion to the First Consul. The same "Mémoires" remark that the warmest partisans of the Concordat were found among the great proprietors, not that they were in reality truly religious, but because they regarded religion as the surest guarantee of their property. "Their desire was to see ecclesiastical affairs terminated, no matter in what manner; and if it had entered into the interests of the First Consul to change the religion, many would not have been much behind in seconding him."*

The Concordat and the organic laws were presented to the expurgated tribune on the 17th of Germinal year X. Simeon was the reporter of the Bill. He commenced by showing that the Catholic religion was not hostile to the institutions of France, since it had always taught submission to the existing Governments. "It has been necessary to return to religion," said the orator, "as to the protective forms of political authority. To govern men, we must make use of their sentiments. Now, the religious sentiment is at the bottom of their heart. The Constituent Assembly had rightly acknowledged that religion was one of the most ancient and powerful means of governing; it was necessary *to put it, more than it was, under the hand of the Government*. Its sole mistake was not being reconciled with the Pope. The ministers of all religions shall be subject to the influence of the Government which chooses or approves them, to which they bind themselves by the most solemn promises, and which holds them in dependence by their stipends.† The tribune Carion-Nizas sustained these fine

* "Mémoires sur les Affaires Ecclésiastiques de la France au commencement du dix-neuvième Siècle," I., p. 32.

† See the "Moniteur" of the 17th of Germinal year X.

theories in an emphatic speech, which cost him the next day a storm of hisses on the first representation of a piece which he caused to be played at the *Théâtre Français*.* We have there a new proof of the (un?) popularity of the plan of the Concordat, although it had passed by the majority of 78 voices against 9. Some days later, Portalis, recently nominated to a kind of ministry of worships, undertook in a treatise, admirable for manner, to stereotype the maxims of this mitigated despotism which was about to weigh so heavily on the conscience. In these nervous and precise pages, the faithful expression of the energetic will which was understood to personify France, we may learn to what a degree the cause of religion is bound up with that of liberty; all that wounds the latter, in these haughty words, equally offends the former; all that is abstracted from liberty is taken away from the dignity of religion. In reality, the treatise of Portalis reproduces, but in a grave and magisterial manner, the thought uttered by the abrupt and sometimes impetuous words of the First Consul. It is the learned theory and eloquent justification of the original sallies of General Bonaparte. But these sallies, these words so sharp in the mouth of the First Consul, these quick, brief strokes, shock less in their imperious bluntness, than when they are artfully drawn out in rounded periods. Better the force which speaks the rude language of camps, than that which assumes the captious forms of right. Portalis had already presented two reports to the Council of State on the new legislation: the one viewed it as a whole, and the other was devoted to the Protestant worship.† The first of these reports begins thus: "All our National Assemblies have decreed the liberty of worships; the duty of the Government is to

* "Annales de la Religion," XV., p. 339.

† See the "Discours et Travaux inédits sur le Concordat, de 1801," by Portalis, arranged and published by Frédéric Portalis, 1845.

direct the execution of this important law, for the greatest public utility." Thus, liberty in the limits which suit the State, and under its good pleasure, liberty regulated, restrained and suspended by the Government, this is what Portalis admires and defends in the organic laws. There is, indeed, there the liberalism of the *régime* of which he was one of the great servants. His report is only the reproduction of the famous theory of the rights of the head of the State over the Church by the double title of political magistrate and protector. Portalis passes in review the divers necessary manifestations of religion, in order to show how the Government has all power over them, how it respects liberty of worship in the metaphysical state, in order to regulate it as soon as it is translated into facts. Respect for the dogmatical decisions of the Church, on condition that the State may prevent their publication and discussion. Respect for prayer, on condition that the appointment of the hour and place belong to the civil power.

This is the kind of liberty of worships acknowledged in the organic articles that Portalis sought to establish before the Legislative body in his famous speech, which all the advocates of religious oppression believed themselves obliged servilely to copy, for they found nothing better. The ministers of religions belonging to this school have only to cut it into paragraphs in order to find there their best circular letters.

In the first part of his speech, Portalis shows the necessity of a religion. "Upright minds," said he, "are forced to admit that no society could subsist without morality, and that we cannot yet do without magistrates and laws. Now, is not the utility or the necessity of religion derived from the necessity of having a morality?" That is just it; judges and gendarmes do not suffice to maintain the public peace; religion is a useful auxiliary, which a wise government would not do without. "How should not religion, which makes such great promises and threatenings,

not be useful to society?" Morality would lend to the gendarmery an ineffectual succour, because, like all that springs from man's reason, it is subject to discussion. "The multitude is more struck with what is ordered them than with what is proved to them." Besides, religion employs rites and ceremonies, which, by speaking to the eye, render it adapted to that profane mob which it is sought to subject to the authority of the laws. Atheism is a public peril, because, according to a great man, *its inevitable effect is to conduct us to the idea of our independence, and, consequently, to revolt.* Thus, the great criterion of religions and doctrines is the measure of servility which they develop. According to this reasoning, it is certain that if Atheism made subjects more docile, it would be necessary to prefer it to religion. The *Atheists* of Paris, whom General Bonaparte ridiculed at Milan, when he was present at the *Te Deum*, chanted after Marengo, might have answered Portalis that the reign of the Cæsars was founded on Epicurism; and that what is most easily moulded in the hands of a master, is that clay soon changed into mud to which materialism reduces human nature; that, consequently, it was a fault at the point of view of a skilful despotism to deprive itself of its natural supports. They would have been quite strong against the learned counsellor of State, when the latter, passing from religion generally considered to Christianity, sought to prove that, better than any other religion, it forms men for obedience. Portalis forgot to say that it formed them above all for obedience towards God, and that there was there an invincible principle of resistance to all immoral subjection, to all unjust oppression, to all encroachment on the rights of conscience, so much so that it was in the Christian conscience that the tyranny of the Cæsars found its first limit. They were martyrs and not atheists who, had in dying, won the liberty of the human race. Freed from the rust of ages of error and superstition, taken in its origin, Christianity appears as

the religion of liberty and enfranchisement, precisely because it bows only before God, and because the God whom it serves is that jealous God, Sovereign of consciences, who commands resistance to unjust laws by the same right with which He commands submission to established order, when that order is not in conflict with His own laws. At the point of view at which Portalis had placed himself, Christians were then very dangerous citizens for a State which wished to arrogate to itself omnipotence, and it is from them, in fact, that effectual resistance was to come, even after having suffered themselves to be gagged by the laws of Germinal. All this first portion of the speech of Portalis, which has the appearance of a homage, is in reality an outrage, for religion is humiliated as soon as it is presented as a means and not as an end. It is to attempt to make a functionary of God Himself, and such an attempt is not without a blending of that Atheism which Portalis has rejected, not for its blasphemies, but for its perils. Thus, I am not astonished to hear him maintain that it is indifferent whether the religion adopted by the State be true or false, provided that it exercise a repressive power and rule the masses. What can we think of the paragraph devoted to the mysteries of Christianity, which, if they are inconvenient in an age of light, "*are at least good for this, to occupy the place which reason leaves empty, and which the imagination would indisputably worse fill.*" WORSE! Behold a word which gives the measure of this governmental Christianity.

The second part of the speech is devoted to the Bill itself. The question is of combating the absurd prejudice that this beneficial and useful power of religion may be abandoned to itself, and that politics would do enough by leaving a free course to religious opinions and ceasing to disturb those who profess them. Portalis has not disdain enough for those who suppose that the Government can be satisfied with a *negative* toleration,

which would present nothing positive. Nothing is better than that a private person should be satisfied with a *negative* toleration in respecting the opinion of others; but with a government, toleration ought to be positive, and go even to *protection*, and as protection implies surveillance and domination, positive toleration goes even to religious oppression, that is to say, even to intolerance; for as soon as the liberty of a worship is constrained or suppressed, it is not tolerated as it would have the right to be, without counting that positive toleration towards recognised worships is a positive intolerance towards worships not recognised. The reasoning of Portalis is, then, a sophism which destroys itself. Setting out from the principle that the State has the deepest interest in securing to itself the co-operation of religion, the orator concludes therefrom that it ought not to take a hostile attitude towards it, like the *régimes* prior to the 18th of Brumaire; that it ought to put an end to every measure of proscription, and attach to itself this great social force not only by benefits, but also by a legislation which preserves it from its own headlong impulses, and enlists it in the service of the Government to promote in common the good of the country. Thus, no proscription, but an effective protection, and an active surveillance. The State should not admit a power so great as that of religion to exercise itself without its control, for spiritual loyalty would soon carry it over its own power. It was easy for Portalis to show that the organic articles had sufficiently provided that, "by its vigilance over doctrine and the police of worships, the State may direct institutions so important towards the greatest public utility." Rejecting with force and eloquence the idea of a dominant religion, the learned lawyer reduced Catholicism to the rank of one of the religions of the country, of that of the majority of the citizens, it is true, but without its being invested with exceptional prerogatives; he branded the revocation of the Edict of Nantes, and

announced that henceforth the Protestant Churches should have part in the protection, in the pay, as in the high surveillance of the State, equality of worships being the glorious and incontestible result of the French Revolution. As for the organisation of the Catholic Church, Portalis recalled what the First Consul had done to extinguish the schism which but for him would have been perpetuated and extended: "For," said the orator, ironically, "it is clear that the theologians are of themselves incapable of arranging their differences." The utility of the agreement with the Holy See was clearly indicated. It was easy to show that the First Consul had indeed found the Pope that was necessary to him, this Pope still more useful by his distance than by his religious sovereignty. Portalis boasted the merits of the happy combination which gave to the Catholic Church "a foreign head, whom the people do not see, who can never naturalise his credit as could a national Pontiff; who encounters in the prejudices, manners, character, and maxims of a nation of which he does not form a part, obstacles to the increase of his authority; who cannot manifest pretensions without awakening all rivalries and jealousies; who can always be arrested and restrained by means which the rights of the people allow, means which, well managed, break forth only outside, and thus spare us the dangers and scandal of a war at once religious and domestic." Let any one weigh well the following consideration: "The Pope, as a Sovereign, can no longer be dreaded by any power; he will always have need of the support of France, and this circumstance can only increase the influence of the French Government in the general affairs of the Church, almost always mixed up with those of politics." It was thus that in 1802 the temporal power of the Pope appeared to the minister of the First Consul the surest means of holding him in dependence on France. A warning to the Catholics who defend the temporal power as the security for pontifical inde-

pendence! Portalis only the better freed from all ambiguity the formal negation of the most elementary religious liberty, and that profanation of religion reduced to a mere political and utilitarian agency.

He had spoken in the name of the Council of State; Lucien Bonaparte and Jaucourt carried to the Legislative body the opinion of the Tribune. Lucien Bonaparte treated as revolutionary prejudice the idea of abandoning worships to themselves. Such an anomaly is easily understood in America, on account of the multiplicity of sects which neutralise each other; but in France, the existence of 40,000 independent congregations belonging to the same worship would be a public danger. We can extract from this speech only these noble words: "In the matter of conscience, the majority does not make law." He should from that have concluded that questions of religion and conscience ought never to be decided by the Legislative majority. Jaucourt well-insisted on the acknowledgment of the equality of worships by the Bill. "The nineteenth century," said he, "will compensate the wrongs of the century of Louis XIV." All these speeches produced but little effect. The Legislative body was very decided to accept what was demanded from it, or rather, what it was ordered to vote. It knew what a shadow of resistance had cost it. But, if it was disposed or forced to submit, it desired to do so promptly and silently, and philosophical or oratorical developments irritated in place of convincing it. It chose servility without words. This may be remarked in all abject parliaments. They accept the fact, but do not wish the theory, and, strange thing! they show themselves particularly impatient with respect to their own orators. The best proof of the little effect produced by this debate is, that the Legislative body having presented itself the next day before the First Consul to congratulate him on the signing of the peace, made no mention of the measure to which the head of the

Government attached the most importance and of which he especially spoke in his answer. "Your session," said he, "commences by the most important operation of all, that which has for its aim the appeasing of religious quarrels. Entire France entreats the end of these deplorable quarrels, and the re-establishment of the altars. I hope that in your joy you will be unanimous as she. France will see with a lively joy that its legislators have voted the peace of consciences."

The proud spirit which animated Napoleon prevented him from seeing that, when the question is of conscience, it alone votes, and does not willingly admit of deputies, above all of deputies full of a joy so lively or of a fear so servile. This speech had all the effect which the First Consul expected: the deputies voted, against their conscience, the peace of consciences.

But there was, nevertheless, a conscience which had no authentic representative in the Legislative body; it was that of the Holy Father. They could not vote for him, however much they wished it. The Cardinal Caprera, his legate, had just arrived in Paris, where he had been received according to the ancient rites. He was charged to defend to the utmost the last scruples of the Pope, especially as to the retractation demanded of the four Constitutional bishops who, despite the Court of Rome, had been nominated to new sees. Resistance was prolonged as much as possible, and yielded only before the outbursts of a feigned or real anger on the part of General Bonaparte, and, above all, before the very emphatic threat which he made of breaking off all at the last moment if compliance was not yielded. Thus was realised the peace of consciences!

On the 18th of April, 1802, being Easter Sunday, the Concordat was published; and a solemn *Te Deum* was chanted in great pomp at Notre Dame to celebrate the general peace and the re-establishment of worship. An immense crowd filled the

streets. The acclamations which saluted the Great Consul, as he was called, were sufficiently explained by his glory and genius, as well as by the services which he had rendered, without discovering in them a proof of adhesion to the Concordat. Long files of carriages, in which were crowded the fine ladies of the official world, followed the carriage of the First Consul and the legate. The ceremony at the church was cold and proper, with the exception of the jesting attitude of some generals; for this singular spectacle amused those whom it did not sadden. After all, it was a solemn comedy which was played under these vaults, since faith was completely wanting in this religious festival. As for the First Consul, he was, according to the testimony of his historian, calm, grave, in the attitude of a chief of empire, who performs a great act of will, and who, by his look, commands submission from everybody; which doubtless signifies that he was there without himself believing in the worship which he was restoring, through condescension and policy, and as a man who paid great honour to God by visiting Him in His temple. Napoleon forgot that it is not standing, and proudly, as the head of an empire, that one raises altars, but on one's knees, as a Christian who is convinced for himself. These exhibitions by command are a great profanation in the temples of God. On the return from Notre Dame, after the ostentatious dinner which celebrated the peace of consciences, the First Consul, who was well satisfied with the success of so thorny a business, said to some of his generals: "Is it not true that to-day everything appeared re-established in the ancient order?" "Yes," answered one of them, "except two millions of French who have died for liberty, and whom we cannot bring to life again."*

"This Concordat," says Grégoire, "a work of iniquity like that

* "Mémoires sur le Consulat." p. 163.

of 1516, was proclaimed in the Cathedral of Paris. The Archbishop Boisgelin preached a sermon, in which, in order to give himself the merit of contributing to the revival of worship, he said that Christianity, which had gone forth from France with the emigrated ecclesiastics, was re-entering with them. This falsehood shocked the clergy of the two parties who had remained in France, and the faithful who knew that in the midst of the political tempests they had not been deprived of the essential helps of religion. This Concordat was cried up in verse and prose; it was so by all the flatterers and ambitious persons who aspired to the favours of the Government. It was a rolling fire of praises, directed towards the man who had restored the altars, the Sent of the Most High, the man of right, the Cyrus, the Constantine, the Charlemagne of the present times.”*

The illusion could not be of long continuance. It was in vain that, the better to maintain it, the First Consul declared to the representatives of the Protestant clergy, after the promulgation of the laws of Germinal, that he would permit to be treated as Nero that one of his descendants who should violate the liberty of worships. It might have been understood that he had spoken of the equality of worships, and of the definitive abolition of the laws of proscription against religious differences. But to attribute to himself the honour of having founded religious liberty, after having signed the Concordat, and promulgated the laws of Germinal, was most strangely to abuse words; and what is more prodigious is, that the majority of the country has, for a time, accepted this equivocation. It was, nevertheless, easy to know what these words signified in reality, for they had received beforehand a sufficiently clear commentary in the proclamation which accompanied the promulgation of the Concordat. “Ministers of

* Grégoire, “*Essai historique sur les libertés de l'Eglise Gallicane*,” p. 170.

a religion of peace," one read therein, "let the most profound oblivion cover your dissensions, your misfortunes, and your faults ; let this religion, which unites us, attach you all by the same ties, by indissoluble ties, to the interests of the country. Display for it all that your ministry gives you of force and ascendancy over minds. Let your lessons and examples form the young citizens to the love of our institutions, to respect and attachment for the tutelary authorities which have been created to protect them ; let them learn from you that the God of peace is always the God of armies, and that He fights with those who defend the independence and liberty of France." The meaning of this exhortation is clear enough. Not content with placing religion under the hand of his Government, Napoleon pretended to rank God Himself under his flag, and to make Him march with his eagles. He wished to have a French, and especially a Napoleonic God, whose ministers should docilely serve his policy.

Public opinion was not deceived concerning the import of the conclusion of the Concordat, as we may be convinced by this passage of the "*Mémoires de Miot de Melitto*:" "Just in proportion as religious toleration, and the liberty left to each one to honour the Divinity in his own way, was a benefit, so did the renewing of the ancient relations with Rome, and, above all, the pomp with which the Government had celebrated this return, seem to me alarming for the enlightened minds who dreaded, as one of the greatest scourges which can afflict a people, the recall of religion and its ministers into the political order. In fact, it was easy to foresee that all the power of Bonaparte would not suffice to hold in the narrow limits which he thought to prescribe to them, the dangerous auxiliaries which he gave to himself ; and the end has proved that, at the time of his reverses, he had no more intractable enemies than those priests to whom he had given so dangerous an influence over society. But at the time when

Bonaparte crossed this slippery ground, persuaded that, of all religions, the Catholic religion was the most favourable to the arbitrary power to which he aspired, and that, in the pulpit and confessional, he would have the most powerful defenders of his system, and professors in passive obedience to his advantage, he closed his eyes on every other consideration, and regarded the re-establishment of worship as a step necessary for mounting to supreme authority. Without attaching to himself this clergy who were so little grateful, he alienated from himself many minds; and, although placed in a very isolated position,* it was in my power to convince myself of this truth. Despite the attachment which, in general, the Corsicans bore to the Catholic religion, the unexpected resolution which established it anew in France produced generally in the island very little sensation. The pomp with which I caused the law to be published, the *Te Deums*, and the solemn masses, produced only a very moderate effect. The penetrating instinct of the Corsicans caused them to guess that it was not to the intimate conviction of the excellence of Catholicism that the proceeding of the First Consul was to be attributed, but to more profound designs.† It is thus that religion has in vain been taken as an instrument of domination. It does not lend itself to this part, which dishonours it; and it contributes to the public peace only when it is loved for its own sake, and when it is sufficiently respected to serve it in place of making use of it.

* The author was on a mission in Corsica.

† "Mémoires de Miot de Melitto," II., pp. 21, 22.

Chapter iii.

Effects of the Concordat.—Conclusion.

WE shall not occupy ourselves with the period which follows the conclusion of the Concordat, except in so far as it serves to determine its true import, for it is of moment to show that, as soon as concluded, this fatal treaty which was to secure religious peace, perpetuated in France the most shameful oppression of consciences, raised between the two contracting parties the most fatal discords, and profoundly disturbed the Church.

We have seen that the Legislator of Germinal year X., had contented himself with constituting paid worships, without acknowledging, by a single article, the right of the dissident worships which might be perpetuated or established. Now, religious liberty, properly so called, exists only in the measure in which this right is admitted, for official worships, making part of the administration, arise not from liberty but from privilege. It has not been sufficiently remarked that the first consequence of the Concordat was the total suppression of liberty of worships, the clandestine practice of which was rendered more difficult by the admirable net-work of the imperial administration than by the violences of the Terror. History has disdained to mark this fact, which possesses, nevertheless, much more importance than questions of war or finance. The equal balancing of a budget or a plan of campaign marvellously combined, affect us infinitely less than the suppression

of the first and most sacred of rights. I know that religious liberty at this period was ill represented, for those who were the first to claim it, belonged to that theophilanthropic religion whose rites were ridiculous, and which had committed the wrong of turning to their own account the protection of the Directory. The sect still reckoned at the period of the Concordat a certain number of adherents who were not disposed to connect themselves with official Churches, and who simply desired to celebrate their worship conformably to their convictions. This worship was much open to criticism from the religious or philosophical point of view, but it had nothing immoral, and ought consequently to escape the repression of the State. The theophilanthropists were perfectly justified in invoking religious liberty in their favour. From that moment everything ridiculous disappears; there was no longer anything but a sacred right in face of the oppressive force. On the 12th of Ventose year X., the chief of the sect had made a declaration to the competent authority, to announce that they wished to continue the exercise of their worship in a locality rented by them. They could not obtain an official certificate from this declaration; all their claims were unavailing. In the very reasonable protest which they drew up, we read these words, to which we can give only an entire assent: "Where would be liberty of worships, if it was permitted to follow only one of those which are established?*" Such was, nevertheless, the theory of the new Government. "I do not wish a dominant religion," said Napoleon to his Council of State, "nor *that new religions should be established*. The religions acknowledged by the Concordat, viz.: the Catholic, the Reformed, and the Lutheran, are sufficient."† The First Consul

* "Annales de la Religion," XV., p. 297.

† "Opinions de Napoléon sur divers sujets de Politique et d'Administration," p. 208.

did the theophilanthropists the honour of devoting to them one of his passionate harangues, to which he had accustomed the Council of State. "They complain," said he, "that the Pope governs in France. Those people act like a club. I will not torment anyone for religious opinions, but I do not wish that under this pretext they should occupy themselves with political affairs. Let a chapel be given to them. . . . And, then, here are the Constitutional priests with which they embarrass me." He resumed, after reflection: "Give an order to stop the theophilanthropists.* It was impossible more explicitly to deny liberty of worships. This negation equally springs from the more than severe words pronounced by Napoleon against the Jews up to the day when he organised the synagogue, and gave to it the official sanction. We know the force of the prejudices against the Jews, above all in the countries where, like every oppressed race, they availed themselves, with a skill much to be regretted, of the evil resource of the feeble against the strong, of that cunning cleverness which in commercial affairs allowed them to oppress entire villages. That was what happened in Alsace. The men of 1789 had had difficulty in triumphing over these prejudices; they had, however, succeeded, and had maintained without exception the essential principle of the new society, to wit, that no one can be disturbed or trammelled in his rights on account of his religious opinions. Napoleon trod under foot those principles in full Council of State, when he expressed himself thus, on the case of the Jews:—"Simple laws are here necessary, *laws of exception*. The harm which the Jews commit does not come from individuals, but from the very constitution of this people: they are caterpillars, locusts which ravage France, to whom commerce ought to be forbidden." That was evidently to

* "Mémoires sur le Consulat," p. 161.

outlaw a religious opinion. The Emperor went so far as to say: "The Jews are not in the same category as the Protestants and Catholics. We must judge them according to the political, and not according to the civil right, *since they are not citizens.*"* Such maxims amounted to nothing less than a sort of revocation of the great edict of toleration of 1789 to the detriment of a particular worship. It was a return to the most deplorable confusion between civil rights and certain religious opinions. Judaism escaped in France the laws of exception only by re-entering into the administration. It remains not the less true that the head of the State believed everything permitted to him with respect to worships which were not noted in the margin of his budget, and did not receive his orders.

We have rendered homage to the firmness with which the First Consul had struck out of the Concordat all that resembled the domination of one worship over another. But this equality in protection was also an equality in servitude. Protestantism, in our opinion, lost more than it gained by the new state of things, for religious liberty and the full enjoyment of civil rights would have sufficed for its speedy revival. In glancing over the ecclesiastical repertory of the Protestant Churches, published in 1807, by Rabaut junior, a most curious collection, which contains a rapid history of the greater number of these Churches, we acknowledge that, in most of them, worship had continued to be celebrated even during the revolutionary tempest, sometimes in a barn, sometimes in a remote house. Supposing that public peace had been restored to France under the shield of the principles of 1789 and not by favour of despotism, French Protestantism would not have failed to develop and consolidate itself. It

* "Mémoires sur le Consulat," p. 214.

would have found resources enough to build religious edifices convenient or majestic, and it would not have been trammelled by those fatal laws of Germinal which have so contributed to retard its progress. It did not immediately feel the inconvenience, because its ancient zeal was momentarily extinguished, and because in its need of repose and political consolidation, it did not even go to the end of its chain. It was wrapt up in the very comprehensible joy of having its place in the sun of the country, and of raising its temples opposite the Catholic churches. But better would it have been to have had less honour and more liberty. We may say that it was, as it were, decapitated in its interior organisation by the want of those great deliberative assemblies which had contributed so much to its glory in the past. Persecution had not succeeded in robbing it of them, for the Church of the desert never renounced synodal organisation. But governmental protection prevented what the dragonades could not interrupt, and it did so without frankness by means of the administrative despotism, in reducing to a dead letter a right of the first order. The laws of Germinal year X. declared that the Protestant Churches should have synods; but as the Power carefully abstained from organising them, it was only a chimerical promise, the effect of which is yet to be awaited after fifty years. A very curious document reveals to us the true intention of the Legislator of the year X. on this most important point; a note which had emanated from the Direction of non-Catholic worships in 1824, and designed to interpret the organic articles according to the tradition faithfully preserved by the ministry, contains the following words on the article of the synods: "The synods exist only in law. The Reformed sometimes demand their effective existence. But this would be to add to the consistence of the Churches to unite them in groups of five by a common *régime*. Their state of isolation better secures their tranquillity, the result

of weakness."* We willingly admit that, under the Bourbons of the elder branch, in the palmy days of the congregation, Protestantism has been the object of a special disfavour ; nevertheless, the obscure scribe who wrote this ministerial note, is quite the faithful interpreter of the legislation of the year X. Napoleon would not, any more than his successors, have tolerated free discussions in the midst of the reconstituted synods. He convoked deliberative assemblies of any kind, only when he had an interest in making them accomplish some act signalised by collective cowardice. The Legislative body perfectly sufficed him for that ; and the experiment of the National Council which he caused to sit at Paris in 1811, turned out too ill for him to be tempted to convoke a synod. Besides, the Protestants remained very sincerely attached to him, and, in the South, often paid for this honourable fidelity with their blood ; they showed him more gratitude than they owed him, for more than once he made use of their Churches, as of a card in his diplomatic game, to frighten the Pope with the ascendancy which he might grant them, if he wished. In a letter to Pius VII., dated from Munich the 7th January, 1806, Napoleon, enumerating his grievances against the Court of Rome, wrote these significant lines: "I have experienced on the part of your Holiness only refusals on all subjects, even on those which were of an interest of the first order for religion, as for example, when the question was *of preventing Protestantism from raising its head in France.*"† Napoleon thought to be the absolute master of the Reformed Churches: "I am head of the Protestant ministers," said he, "since I nominate them." Un-

* "Bulletin de la Société de l'Histoire du Protestantisme Français," 12 année, p. 181.

† "Opinions de Napoléon sur divers sujets de Politique et d'Administration," p. 211.

happily, the clergy of both Churches, by imprudent flatteries, did all that was necessary to maintain him in this illusion, so full of peril for himself.

I know no reading more sad than that of the ecclesiastical documents of this time. We again find there that profanation of holy things which dishonoured the Church of the Lower Empire. We know that in its skill to draw from the sacred books unknown formulas of servility, this Church arrived at the truly astonishing result of giving new life to flattery, after three centuries of baseness. It must be acknowledged that in France the leader of this too harmonious choir was the Pope's legate. In his circular letter, in which he institutes the festival of Saint-Napoleon for the 15th of August, he boldly attributed to the Emperor the honour of having carried the ark of God across the Jordan, a happy image designed to depict the revolutionary tempest. "If your sons enquire," adds the legate, "who has so happily done such great things for Christianity, you will tell them that it is our Emperor who has imitated the illustrious kings, Cyrus and Darius, in restoring the house of God."* This theme of the new Cyrus was infinitely varied in the episcopal charges. A graver sign of this servility was the warlike tone of the representatives of a religion of peace when war broke out anew. The Englishman was devoted to the anger of the Almighty with an energy that was little edifying. Perfidious Albion was compared to Tyre and Sidon, and the threatenings of the prophets turned against her with an inexhaustible abundance. "The voice of the blood of our brothers," we read in the charge of the Bishop of Saint Briec, "cries for vengeance against the Englishman." The Cardinal Archbishop of Tours made a fine discovery, which he hastened to communicate to his diocese; it was that the war which was commencing was

* "Archives de l'Empire, Porte-feuille du Concordat," II., p. 137.

the war of peace.* The homages rendered by the clergy to the chief of the State equalled all the exaggerations that had been seen under the ancient monarchy. "We know not how to render too much honour," we read in a circular of Portalis of the 4th Messidor year XI., "and to testify too much gratitude, respect and love, to the restorer of religion and the State." The clergy receive him on the threshold of the temple chanting the anthem: *Ecce mitto angelum meum qui præparabit viam meam* (Behold I send my angel who shall prepare my way). After the sprinkling, he is conducted to the principal altar, and the *Salvum* is intoned. In the solemn circumstances, there were imposed on the clergy protestations of exceptional devotedness. On the occasion of the conspiracy of Pluviose year XII., Portalis wrote to the bishops a circular thus couched: "In such a moment, it belongs to the ministers of religion to enlighten the citizens by their instructions, and to make them feel, more than ever, that they owe gratitude, attachment, and love to a Government that is a restorer of worship, a protector of all good people, and a repairer of all the evils which have so long afflicted France." The addresses of the clergy left nothing to be desired by the most devoted courtiers; the First Consul, in the audience which he granted them on this occasion, expressed to them his lively satisfaction, and particularly the pleasure which he experienced in seeing the ecclesiastics in long robes. The holy militia had taken the uniform which he had prescribed, with as much eagerness as his soldiers, and it was not less disposed to accept his orders. How would he not have applauded the following words addressed by the Bishop of Dijon to his parish priests before the taking of their oath: "After that the prefects and mayors, speaking to those whom they govern as citizens, shall have communicated to them the laws or decrees of the

* "Annales de la Religion," XVII., p. 180.

Government, and shall have made of their execution a social duty, the pastors, still speaking in the same direction to those whom they govern as Christians, will make of it a moral duty. The political magistrate will appeal to their honour; the religious magistrate to their conscience! The former will connect with it their temporal interest; the latter, their eternal salvation. Thus is born a *régime*, according to which morality is born of legislation, and by which connexion, co-operation, and unity of action are established between two governments made for one another.* Surely, never was religion more submissively yoked to the chariot of the State. What asylum would remain to liberty in the world when the spiritual and civil power should thus form two perfectly concentric circles, and the bishop be no more than a prefect in a long robe? Can there be deeper abjectness for a Church than this? This was, however, the part it played after this so boasted Concordat.

The head of the State felt himself as at home in the Christian temples as in his own palace. He there caused to be read at the sermon, the bulletins of the Grand Army. When the question was of repairing its losses by those formidable levies of conscripts which his Senate so benevolently granted to him, he requested his bishops to aid his prefects in bringing back to him the refractory. The Government severely censured every mark of pity for so many unfortunate young people sent to the war under age. It caused its gendarmes to seize in the sacristy of a church, a conscript who was in the act of confession.† In addition to which, the priests frequently supplied the place of the gendarmery in this sad office. When it has been stated to what degree of abasement

* "Annales de la Religion," p. 117.

† "Mémoires sur les Affaires Ecclésiastiques de la France au commencement du dix-neuvième siècle," I., p. 235.

the greater part of the Concordat clergy had suffered themselves to be reduced, we can but subscribe to these words of Grégoire, despite their rough severity: "Are not these the same men who ordered so many *Te Deums* for victories, for every kind of scenes of carnage, even those of the sacrilegious war in Spain? Are they not the same men who, at the fall of the potentate, have with this multitude of senators, counsellors, prefects, judges, magistrates, despised the man to whom the day before they were burning incense? Are they not the same who, after having exhausted all the phrases of servility, worn all liveries, professed all doctrines, courted all parties, always end by floating on the surface?" *

We know the history of the famous Imperial Catechism imposed by the New Empire on the whole Church of France. It was its way of saying: *Suffer the little children to come unto me*. The famous chapter on the duties of French Christians with respect to their Emperor, has gained the notoriety which it deserves, but it is always useful to recall these outrages against conscience which combine the ridiculous with the odious. "For the first time since the establishment of Christianity," says Grégoire again, "is seen the scandal of a catechism drawn up expressly in favour of an individual and of a family."

"Q. What are the duties of Christians, in respect to the princes who govern them?" we read at page 55, "and what, in particular, are our duties towards Napoleon the First, our Emperor?—A. Christians owe to the princes who govern them, and we owe in particular to Napoleon the First, our Emperor, love, respect, obedience, fidelity, *military service*, the taxes usual for the preservation and expenses of the empire and of his throne. . . . To honour and serve our Emperor is, then, to honour and serve God Himself.

* "Essai Historique sur l'Eglise Gallicane," p. 270.

“Q. Are there not special motives which ought more strongly to attach us to Napoleon the First, our Emperor?—A. Yes, for it is he whom God has raised up in difficult circumstances to re-establish the public worship of the holy religion of our fathers, and to be its protector. He has brought back and preserved public order by his profound and active wisdom; he defends the State by his powerful arm; he has become the help of the Lord by the consecration which he has received from the sovereign Pontiff, the head of the Universal Church.

“Q. What ought we to think of those who should be wanting in their duty towards our Emperor?—A. According to the holy Apostle Paul, they would be resisting the order established by God Himself, they would be rendering themselves worthy of eternal damnation.”

Thus, the new despotism profaned at once religion and childhood, and showed itself guilty of a double sacrilege. Nothing more was wanting to it, except to erect on the Vendome column the statue of the god Mars with the features of General Bonaparte, and to claim adoration after the example of the Roman Cæsars. The Papacy carried compliance so far as highly to approve the famous catechism, and the legate recommended its use in all the dioceses.

It is vain to hold under control an inthralled Church; it is always a difficult and perilous task imperiously to rule spiritual powers. The spirit blows where it wills, and mocks the best-appointed administration; it passes through meshes of legal network with which it is endeavoured to entangle it. Thence arises a perpetual uneasiness for the despot who wishes to regulate all, to domineer over all, to inspire all. Napoleon would have wished that no public speech should resound in the empire without the postscript of his prefects. The latter were to watch very closely over all the episcopal charges. The Government complained that

modern philosophy was too often put on trial in the discourses or sermons. The head of the State himself corrected the documents which went forth from the Archbishopric of Paris; the greatest vigilance was recommended to the bishops over the preachers who ascended their pulpits, and had the privilege so dreaded by the Government of addressing the people. Controversy was forbidden them. A preacher was thrown into prison for having uttered a philippic against Voltaire and Rousseau; and the superior authority did not blame the act in itself, but only the administrative irregularity which accompanied it. A prefect, opposed to austerity, blamed his bishop for having insisted too much on abstinence from flesh in time of Lent.* Missions were not less strictly watched over. In 1807 the missions in the interior were suppressed on the ground that they agitated the people. As for foreign missions, Napoleon wished to authorise them only in the measure in which apostolic zeal would be useful as well to the State as to religion.†

The Emperor was not satisfied with exercising vigilance, or causing it to be exercised, over the charges of his bishops. Just as on occasion he became journalist, he endeavoured also to handle the episcopal crook. He transmitted, in a very curious letter to his uncle the Cardinal Fesch, recently raised to the see of Lyons, a sketch of a very edifying discourse destined to restore peace to his diocese. "Say," wrote he to him, "that every sentiment which would produce pride is a sin, that to wish to humble our neighbour is to violate the Gospel," ‡ &c., &c.

* See all these details, and many others, in the "*Mémoires pour servir à l'Histoire Ecclésiastique du dix-neuvième siècle*," I., pp. 211—237.

† Letter to the Archbishop of Paris, of August 28, 1802.

‡ Letter of the 6th of September, 1802.—"*Correspondance de Napoléon Bonaparte*," VIII., p. 28.

This homily on humility and forgiveness does not prevent this novice-father of the Church from writing, some days later: "As for some enthusiast refractories, as soon as they shall be known, I will cause them to be removed."* Sometimes we find in his correspondence, artless expressions of the despot which excite a smile. "Give to M. the Bishop of Poitiers," writes he on the 2nd of June, 1805, "instructions suitable *for changing the spirit of this diocese*, the worst in France." To what lengths does the intoxication of material power carry men! To change the spirit of a diocese appears to him as simple as to order a change in the uniform of his guard. He perceived only too well his own incapacity for reigning in this domain of *ideology*, for which he revenged himself by vain sarcasms, and then, not being able to change the spirit, he had recourse to the vulgar resources of all tyrannies: constraint and arbitrary power. He caused the priests to be removed and imprisoned, and asked of his Minister of Worship what were the canonical forms for degrading them.† Later, at the height of his contest with the Holy See, he spoke only of fusillading the recalcitrants. He had formally declared that such would be the fate of all those who should have a hand in the bull of excommunication. Happily, these bloody threats were not executed, but it is not sufficiently well known that he applied to the priests measures more than severe. Before the Concordat, a preacher named Fournier, who had developed Ultramontane maxims in the pulpit of Saint-Roch, was cast into Bicêtre as a lunatic. The clergy of Paris having presented themselves at the Tuileries to prefer some complaints to the First Consul, the latter answered in these terms: "The prefect has acted only by order of the Government. I have

* Letter of the 11th of November, 1802.

† Letter of the 30th of March, 1804.

wished to prove to you that if I should put my cap awry, it would be necessary that the priests should obey the civil power." * His cap was seldom right, for during his reign more than five hundred priests were put in prison without trial.† With the exception of the effusion of blood, he followed the worst revolutionary practice in ecclesiastical affairs.

The Concordat had not reconciled the two hostile clergies, and their quarrels unceasingly led to the grievous and tyrannical intervention of the State.‡ It remains to us to show that neither did it consolidate peace between the Government of France and the Holy See. The organic articles had been a first leaven of discord, for they had been decreed by only one of the contracting parties to the detriment of the other without any previous agreement. We do not deny that in the giving of a Concordat, the State might not have had reason to take precautions with respect to the foreign power to which so great a number of its subordinates were attached by intimate ties. It will be always thus so long as the highest office in Catholicism shall be united to a temporal sovereignty. The independence of the Churches is impossible wherever they represent ought else but religion, wherever they depend on a political sovereign. It is, then, necessary to foresee cases of conflict, and to guarantee public security by regulations to be regretted in themselves, but imposed by a wise policy in a complicated and false situation. But what is not necessary is, at the very moment when the two powers are in diplomatic conference, that one of them—the civil

* *Mémoires sur le Consulat*," p. 159.

† De Pradt, "*Les Quatre Concordats*," II., 259.

‡ See on these relations, "*L'Histoire de Pie VII.*," by the Chevalier Artaud; the twelfth and thirteenth volumes of the "*Quatre Concordats*," by de Pradt; and, in fine, the very interesting "*Mémoires du Cardinal Pacca*."

power—should at its pleasure add to the concluded treaty, articles which serve its own convenience, and thus, by an abuse of power, take to itself the lion's share. This was what the First Consul attempted with his usual audacity, and he had thus left in the heart of his new ally a leaven of bitterness which was to render good harmony impossible. A treaty violated as soon as concluded, inaugurated war and not peace. The good understanding lasted all the time which appeared necessary to Napoleon to obtain a new concession from the Holy Father, all to the profit of his personal ambition. He had a wish for the little phial, according to the witty expression of General Lafayette, and he desired to astonish the world by causing to be consecrated by the hands of the Pope at Notre Dame, I do not say the representative, but the victorious son of the French Revolution. He used, in order to bring Pius VII. to his views, the same bait by which he had decided him to the Concordat. We know that the vaguest promises in a strange manner acquire precision in minds pre-occupied with a long-cherished desire ; they interpret and complete in their own direction a word, an equivocal sign. Nothing was then more easy than to lead to a false step a respectable old man who thought his conscience interested in re-establishing the temporal power in its ancient limits. He would have run to the end of the world after the shadow of one of the lost provinces ; he must think that the Legations were indeed worth a mass at Paris, so much the more that, after all, no sacrifice was demanded of his conscience. We cannot doubt that such was the principal motive for his journey to France, when we read the memorial which he caused to be sent to the Minister of Foreign Affairs. This memorial begins thus : "We have been for a long time uncertain, if, in yielding to the repeated invitations of your Majesty to manifest to you the demands of our heart, we should make no mention of the lands belonging to the

domain of the Holy See." The words at once reveal the skillfulness of French diplomacy, which has caused Rome to hope everything, without making any positive engagement. The memorial turns principally on the penury of the Holy See, on the immensity of its needs, and the imperious necessity which drives it to demand the restitution of the Legations. The Holy Father promised to Napoleon the glory of a new Charlemagne if he imitated the munificence of the first Carlovingians. The memorial concluded by this petition, more fervid than dignified: "Would to heaven that for your glory and our complete consolation, that might be written of you which we find written in the monuments of the Church, of one of our predecessors, Stephen IV., and of Louis the Pious, son of Charlemagne, who had received from him the imperial crown. The Lord deigned to grant to this Pontiff so much protection, that he obtained all that he asked from this Prince, so much so that this pious monarch, in his love for Stephen IV., amongst other gifts which he offered him, made a present to the holy Apostle Peter of a manor out of his own private property."* The entire explanation of the coronation is in these words. Portalis respectfully declined the demands of the Holy Father, by appealing to the rights acquired by the new State formed in Italy. It was soon to be seen what these rights counted for in the eyes of the conqueror, when the question was of extending his own empire. The Holy Father returned to Rome with a bitter deception, which made him little favourably disposed to the new concessions which the Emperor did not fail to ask of him.

Two incidents contributed to envenom the relations between Napoleon and the Pope, relations which, if it had not been for the untameable despotism of the first, might have easily remained

* "Histoire de Pie VII.," II., pp. 29, 31.

on a good footing, for these two persons had a mutual sympathy which never entirely disappeared. Jerome Bonaparte, the youngest of the Emperor's brothers, had married an American lady of Baltimore, worthy of every consideration and of striking beauty. This marriage had violently irritated the head of the family, who wished that his blood should, henceforth, mingle with that of the oldest royal races. He demanded of the Pope to dissolve this marriage, by alleging that it had been contracted with a Protestant. The reasons assigned for invalidity did not appear sufficient at Rome; the Holy Father, in passing over the difference of religion, showed himself truer to religious liberty than the former General of the Republic. "The disparity of religion," it was written from Rome to Paris, "considered by the Church as an invalidating obstacle, is not examined into between two baptised persons, although one of them should not be of the Catholic religion." Napoleon passionately insisted, but without success. The other incident was his imperious desire to conclude, in favour of the newly-constituted kingdom of Italy, a Concordat at least as advantageous to the civil power as that of 1802. The Pope had a thousand reasons for being less in haste than he. The relations became more and more embittered. On the 13th of February, 1806, the Emperor wrote to the Pope a letter which, however powerful and dreaded the writer of it might be, was not less a culpable insolence towards the Catholic Church: "Our conditions ought to be," wrote Napoleon, "that your Holiness shall have the same regard for me in temporal affairs that I bear to you in spiritual." In truth, the Holy Father would not have imprudently pledged himself in simply promising reciprocity of regards. "Your Holiness is Sovereign of Rome," added Napoleon, "but I am its Emperor. All my enemies ought to be yours. . . . I am accountable to God, who has indeed wished to make use of my arm for the re-establishment of religion, and how

can I, without lamenting, see it compromised by the delays of the Court of Rome, where nothing is ever finished? On account of worldly interests, *souls* are left to *perish*. Let those answer for it before God who employ so much zeal in *protecting Protestant marriages*." Let it not be forgotten that it is the pretended representative of a Revolution, made in the name of liberty of conscience, who holds this language to the representative of the Roman theocracy. What a strange inversion of parts! The Holy See answered with firmness, protesting especially against the pretention of Napoleon to be Emperor of Rome. He used the powerful weapon which had been left him and which had succeeded with Louis XIV.; the refusal of the bulls to the new bishops sufficed to throw the whole Church of France into confusion. Already even excommunication was spoken of at Rome. Napoleon decided to strike a great blow. He no longer maintained any reserve in the letter which he wrote on this occasion to the viceroy of Italy. He declared that the Pope who should denounce him to Christendom would cease to be the Pope in his eyes, and that he should no longer regard him except as Anti-christ, whilst thanking God for his powerlessness. The following words show to what his orthodoxy held: "If it was thus, I would separate my peoples from all communion with Rome, and I would establish such a police that these mysterious documents should no longer be seen to circulate. What does Pius VII. wish to do by denouncing me to Christendom? To excommunicate me . . . Does he think, then, that the weapons will fall from the hands of my soldiers? The present Pope *has given himself the trouble* to come to my coronation at Paris, but he wished me to yield him the Legations; I have neither been able nor willing to do it. The present Pope is too powerful; priests are not made to govern. Why does not the Pope wish to render to Cæsar that which is Cæsar's; and is he on the earth more than Jesus Christ? Perhaps

the time is not far distant, if they will continue to trouble the affairs of my States, when I shall acknowledge the Pope only as Bishop of Rome, only as equal and in the same rank as the bishops of my States. I shall not fear to unite the Gallican, Italian, German, Polish Churches in a council, in order *to transact my affairs without the Pope*. The duties of the tiara are, in reality, only humility and prayer. Jesus Christ has not instituted a pilgrimage to Rome, as Mahomet did to Mecca." Nothing is equal to the frankness and style of the master in his first sketch, before his scribes had diluted it in their circulars. For the time, Napoleon is indeed the representative of the Revolution, not of that which, with Mirabeau, proclaims liberty of worships, but of that which made the Civil Constitution of the Clergy, and made use of violence to cast the Church at the foot of the State. He was no more that day than a crowned revolutionist.

Here was the supreme peril of the situation created by the Concordat. The gravest interests of religion depended on a mind, profound without doubt, but fickle to excess, which seized, with its incomparable vigour, the point of view which the passion of the moment presented to him. He knew, with the fecundity and suppleness of his genius, how to group around his idea of the day the most striking considerations, and to cause to burst forth, in some sort, from all the subjects which he struck with his picturesque bluntness, coruscations which he took for lights and reasons.* The delicate affairs of the soul and conscience appeared to him his own affairs; he treated them according to his rapid and thundering method, a sure means of finishing nothing, of appeasing nothing, and of contending in interminable and dangerous struggles.

* M. de Pradt very well characterises this intoxication of Napoleon by his own discourses ("Les Quatre Concordats," II., p. 459).

We know what was the issue of his discussion with Rome. The Pope, as soon as the European war began anew, did not observe the conduct of a sure and faithful ally. It is asking too much of the oppressed to require that he should warmly espouse the cause of him who holds him under his yoke. The coalition did not fail to hatch its conspiracies at Rome, but it only compromised the weak power which it could not efficiently defend. The pontifical city was occupied, provisionally at first, by the French troops on the occasion of the invasion of the kingdom of Naples, then the occupation became definitive, the Papal gendarmery was incorporated on the 16th of March, 1808, with the Imperial army, in consequence of an insulting decree. The Pope answered these acts of violence by his allocution of the 8th of July ; he there protests, with firmness, his inviolable attachment to his people, and invites the Emperor to withdraw from the counsels of perfidious men.

We have had, hitherto, only the prologue of the drama. The decree of the re-union of the pontifical States to the empire caused to be poured out the cup of bitterness which already overflowed from the day when the French soldiers had crossed the threshold of the pontifical palace to carry off the Cardinal Pacca, the Secretary of State to his Holiness. The bull of excommunication which had long been ready, was instantly posted at Rome, by those skilful and invisible hands which the Papacy has not always kept in its service. We regret to find in this document, otherwise eloquent, complaints that the compensations promised by the author of the Concordat have been refused to the Court of Rome. It was necessary that day to forget all that recalled the temporal sovereignty, and to represent only the spiritual power in the lists with despotism. On this territory, it was easy to retrieve equality and even superiority. It is necessary to read in the "*Mémoires du Cardinal Pacca*," all

the odious details of this military execution. What a profound echo was not such an outrage to have in Catholic consciences ? More grave than material violence, is moral violence, such as was practised at Savona, and then at Fontainebleau, with a skill and perseverance truly culpable, on an unfortunate priest, weakened by isolation and captivity, from whom was finally wrested the disavowal of his own cause. The shameful Concordat concluded at Fontainebleau in 1813, which hands over to the civil power all the liberties of the Church, and even the right of disposing of the canonical institution, accuses much more the arm of iron which has imposed it, than the trembling hand which has signed it. The dissolution of the Council held at Paris in 1811, from the day on which it seriously lays hold of and acknowledges the sovereignty of the Holy Father ; the banishment of the Cardinals who refused to violate the canonical rules by assisting at the second marriage of Napoleon ; the harsh captivity of Cardinal Pacca, deprived of religious aids, as but lately the refractories of Aix and Rochefort ; all these persecuting measures reveal the triumph of the bad revolutionary tradition, in full monarchical restoration, in the midst of a brilliant and servile Court, presided over by an Austrian archduchess. This result of the Concordat is sufficient to condemn it. We may apply to the profound politician who had conceived it the estimation which he always found decisive. Not only can we say to him, you have offended against right and liberty ; we know that that touches you little, but you have not succeeded ! Besides, he has himself acknowledged it in oft-cited words, and which are the forced conclusion of this chapter. " When Napoleon," we read in the ' Quatre Concordats ' of M. de Pradt, " felthimself entangled in the ever-increasing religious quarrels ; when after having laboured with the view of pacifying all, he found that he had sown seeds of discord ; when after having reckoned on the support of the clergy,

he found them bristling with umbrages against him, he sought whence proceeded a result so different from what he deemed he had prepared; and reaping the sad fruits of his experience, he acknowledged, with grief, the error which he had committed in meddling with religion, otherwise than as an advocate of liberty of worships. He has often said to me: 'The greatest error of my reign is having made the Concordat, but it is too late to repent of it.'* This is what he was heard to repeat several times after the dissolution of the unlucky Council of 1811. "We reap only what we have sown," said he to M. de Pradt; "the Concordat is the greatest error of my life."† Already, once before, he had exclaimed, in presence of his Council of State: "I seek in vain to place the limits between the civil and religious authorities, the existence of these limits is only a chimera. In vain I look, I see only clouds, obscurities, difficulties."‡

Whilst Napoleon was regretting the Concordat, one of the most intelligent representatives of the Holy See, Cardinal Pacca, expressed views of singular boldness on the separation of the two powers at Rome itself: "However grievous might be the loss of the States of the Holy See," says he in his "*Mémoires*," "I believed that the Lord could draw from it a great good for His Church. I thought that the fall of the temporal power of the Popes would at least weaken and destroy that jealousy and blind antipathy which almost everywhere exist against the clergy and Court of Rome; and that the sovereign Pontiffs, delivered from the pressing burden of temporal affairs, would henceforth consecrate all their diligence to the spiritual welfare of their flock;

* "*Les Quatre Concords*," II., p. 269.

† *Ibid.*, p. 499.

‡ "*Opinions de Napoléon sur divers sujets de Politique et d'Administration*," p. 305.

that the Church, stripped of the *éclat* of honours and riches, should no longer see enter the lists of her clergy any but those who *desire a good work*, and that the Popes would no longer have so much regard to birth and the recommendations of Courts in the choice of their counsellors and ministers ; and, in general, in the Roman promotions of which it could often be said : *Thou hast multiplied the nation, but thou hast not increased the joy*. In fine, there would be no longer room to fear that ecclesiastical decisions would ever be influenced by political and material considerations, whose weight thrown into the balance could have made it incline towards excessive compliance.”*

Would to heaven that this experience, so dearly purchased on both sides by the two contracting powers to the Concordat, had not been so soon lost ! We should not then see, after more than half-a-century, the relations of civil and religious society present as many inextricable difficulties as on the morrow of the French Revolution.

CONCLUSION.

NAPOLEON said, in returning from Notre Dame after the ceremonies which had marked the conclusion of the Concordat : “ Now the French Revolution is finished.” This history has shown how much he was mistaken. Not only was the French Revolution not finished, but it was even arrested in the track on which it had set out from its first day, and was, in a manner, fixed in its most fatal error. What was very decidedly finished was the régime of intolerance and persecution ; equality of worships, considered as a right, was gained for ever. But, with respect to true

* “ Mémoires du Cardinal Pacca,” I., pp. 22, 23.

and sincere religious liberty, the Revolution was hardly commenced. Apart from a short and stormy period, in which the separation of Church and State had been proclaimed and realised with surprising success in the most difficult circumstances, the heavy hand of the civil power had not ceased for a single day to weigh on the religious conscience; and as it is there that we must seek the inmost spring of liberty, despotism had taken the surest guarantee against all moral independence. To persecution had succeeded imperious protection. The great corporations of the past had disappeared; there remained no longer any but individuals before the State, but individuals disarmed, to whom the right of association was strictly prohibited. Nothing was more easy for the civil power than to knead, at its pleasure, this fine dust; but this power was also soon to learn how frail are the edifices constructed with such materials. The true cement was wanting; for the cement is liberty, and, before all, the first of liberties, that of souls. No, the Revolution was not finished in 1801.

Nor is it finished at this day. Neither liberty in general, nor religious liberty in particular, has received a sufficient sanction. The organic laws are still in vigour, and place at the disposal of the State a powerful curb to restrain the Churches that it has in its pay. It is still armed with the famous 291st article of the Penal Code, revived by the decree of the 23rd of March, 1852, by virtue of which all meeting for worship is subjected to previous authorisation. The administration has shown itself not less penetrated with the duty, sacred in its eyes, of watching over, and, too often, of hindering all religious manifestations which do not enter into its framework. The vexatious perplexities which result from the traditional relations of Church and State are incessantly renewed.

The very soul of France is bound and garotted in the fatal

administrative network which encloses it on every side, and permits neither political thought nor religious belief freely to show themselves in the open day by speech or association. Let them beware ! this moral captivity is weakening her : it would end by turning her activity towards bad and low preoccupations, of which a debased literature would become the most certain sign ; or else it would precipitate her into the terrible game of war, alone capable of distracting her from her burdensome *ennui* by uselessly embroiling Europe. It is time to free this soul of France, so generous, so living, and to deliver this giant from the slender and innumerable bonds with which he is entangled, as if he had fallen asleep in the country of Lilliput. This is the noble task and the most elevated aspect of liberalism in present circumstances.

We have thought to serve not only the cause of religion, but also the liberal cause, in its most immediate and most elevated interests, by bringing out from the confusion of events the grand lesson which is evolved from the religious and ecclesiastical struggles of the French Revolution. This lesson is summed up in that famous formula of the free Church in the free State which impresses itself with more or less logic on all generous minds. Let it be thoroughly understood ; we shall not have the free State, except with the free Church—I mean fully free, without pay and without fetters, without emoluments and without organic laws, with the *régime* of the common right sincerely accepted. Thus will be secured against the invasions of monarchical or demagogical despotism the inviolable asylum of religious liberty, mother of all others ; and universal suffrage will be constrained to comprehend that for its tumultuous waves, as for the billows of ocean, there is a voice to say : Thus far and no farther. The idol of false popular sovereignty will be broken. Such a reform will re-act on the whole political organisation ; it will re-produce itself in all its degrees,

and will establish the true line of demarcation between the central civil power and individual liberty. Then the Church, under these normal conditions, living only by liberty, will find its first interest in serving and defending it. Thus will be cemented this holy and fruitful alliance between religion and liberalism, the delay of which has been so fatal to the French Revolution, and the realisation of which would inaugurate for our country the new and final era to which we aspire. Then, truly, the Revolution would be achieved ; for it would have enfranchised conscience, and made of it the immoveable rock on which the edifice should repose. We will conclude by repeating that noble word of Mirabeau : *God is as necessary as liberty to the French people.* He was too much the child of his age to give to these words their whole import. It is for us, who have seen what he did not see, and who know how precarious is the liberty which is only a human right, how ready it is to sink down or to sell itself ; it is for us, the inheritors and admirers of this grand Revolution, which we wish to achieve whilst correcting or completing it ; it is for us to say again, with full conviction, that God is as necessary as liberty to the French people. The Divine idea can alone preserve liberty, but it is on the condition that liberty be not refused to the Divine idea. Everything, then, leads us back to the free Church in the free State.

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